THE

CIVIL JUSTICE REPORT

OF

LOWER BURMA

FOR

THE YEAR 1885.

RANGOON:
PRINTED AT THE GOVERNMENT PRESS.

1886.

TABLE OF CONTENTS.

RESOLUTION BY THE CHIEF COMMISSIONER.

	Para.	Page.
Amalgamation of statistics of civil justice in Rangoon and in rest of province	1	1
Statistics of regular suits	2	ib.
Disposal of work	3	2
Execution of decrees	4	3
Appeals	5	ib.
Cost of litigation	6	ib.
Supervision of Courts	7	4

ANNUAL REPORT.

PART I.

COURTS EXERCISING JURISDICTION IN THE TOWN OF RANGOON.

Special Court of Lower Burma.

Number of appeals	1	1
Table showing results of past two years	2	ib.
Miscellaneous appeals	3	ib.
Appeal to Privy Council	4	ib.
Reference by Court of Recorder	5	ib.
Revenue and expenditure	6	2

Court of the Recorder of Rangoon.

Number of cases of all classes	1	3
Number of cases in previous year	2	ib.
Number of cases of all kinds disposed of during year	3	ib.
Total value of suits instituted during year	4	ib.
Tables showing particulars in detail	5	ib.
Contested and uncontested cases	6	4
Applications for revision of judgments and decrees passed by First Judge of Small Cause Court	7	ib.
Applications for revision against judgments and decrees of Second Judge of Small Cause Court	8	ib.
Reference on point of law	9	ib.
Appeals to Privy Council and High Court	10	ib.
Probates and letters-of-administration granted during year	11	ib.
Value of estates and court-fee stamps	12	ib.

Vice-Admiralty Jurisdiction.

Cases filed during year...	13	5

Insolvency Jurisdiction.

Petitions for personal and final discharge	14	5
Cases transferred to Judge of Moulmein and District Judge of Akyab	15	ib.
Particulars of insolvency cases	16	ib.
Recorder's visit to Moulmein	17	ib.
Recorders during year	18	ib.
Additional Recorder	19	ib.
Total revenue of Court during year	20	ib.
Table of receipts and expenditure	21	ib.

Court of Small Causes, Rangoon.

Number of suits instituted	22	6
Plaints filed in Burmese before Second Judge...	23	ib.
Total value of suits during year	24	ib.
Suits disposed of by First and Second Judges...	25	ib.
Contested and uncontested cases disposed of by First Judge	26	ib.
Contested and uncontested cases disposed of by Second Judge	27	ib.
Number of suits pending at close of year	28	ib.
Applications to execute decrees	29	ib.
Applications filed under Chapter XX of Code of Civil Procedure	30	ib.
Applications other than applications for execution of decrees	31	ib.
Value of stamps used	32	ib.
Excess of receipts over expenditure	33	ib.
Statement of receipts and expenditure	34	ib.
The First Judge	35	ib.
The Second Judge	36	ib.
General remarks	37 to 39	ib.

PART II.

COURTS UNDER THE SUPERVISION OF THE JUDICIAL COMMISSIONER.

	Para.	Page.
Submission of report	1	8
Cause of delay	2	ib.
Destruction of records in Shwegyin	3	ib.
ORIGINAL JURISDICTION.		
Court of Judicial Commissioner and subordinate Courts	4	8
Cases instituted in the different Courts of original jurisdiction	5	9
Increase and decrease of institutions in different districts	6	10
Character of original litigation	7	11
Value of original suits	8	12
Manner in which litigation was disposed of	9	13
Average duration of suits	10	14
Number of applications for execution and degree in which satisfied	11	15
Processes of execution issued	12	16
Result of application of section 323, Code of Civil Procedure, for protection of Karens settled in Bassein	13	ib.
Number of persons who applied to be declared insolvents	14	17
APPELATE JURISDICTION.		
Number of appeals to Deputy Commissioners from decrees of subordinate Courts ...	15	18
Work of Appellate Courts	16	19
Appeals to Commissioners from decrees of Deputy Commissioners	17	20
Result of rules framed under section 20 of Court Fees Act	18	21
Regular appeals, decided by Judicial Commissioner	19	22
Miscellaneous appeals	20	23
Result of references to Court of Judicial Commissioner	21	24
Work of Judicial Commissioner as Court of revision	22	25
Costs of litigation	23	ib.
Table showing existing and reduced rates	24	26
Inspection during year	25	27
Advocates	26	ib
Inspection work by officers	27	28
Officers presiding during year	28	ib.

APPENDICES.

	Page.
1.—(Civil).—Statement showing the number of judicial divisions and number of officers exercising appellate or original jurisdiction in Lower Burma on the last day of the year 1885, with cost of tribunals...	ii.
7.—(Civil).—Statement showing the number and description of suits instituted in the Civil and Revenue Courts of Lower Burma	iii.
8.—(Civil).—Statement showing the number and value of suits instituted in the Civil and Revenue Courts of Lower Burma in the year 1885	iv.
9.—(Civil).—Statement showing the general result of the trial of Civil and Revenue cases in the Courts of original jurisdiction in Lower Burma in the year 1885—Part I.—Civil Suits	v.
9.—(Civil).—Statement showing the general result of the trial of Civil and Revenue cases in the Courts of original jurisdiction in Lower Burma in the year 1885—Part II.—Miscellaneous cases (Judicial)	vi.
10.—(Civil).—Statement showing the business of the Civil and Revenue Appellate Courts of Lower Burma in the year 1885—Part I.—Appeals from decrees	vii.
10.—(Civil).—Statement showing the business of the Civil and Revenue Appellate Courts of Lower Burma in the year 1885—Part II, Miscellaneous Appeals (Judicial) ...	viii.
11.—(Civil).—Statement showing the result of proceedings on applications for the execution of the decrees of the Civil and Revenue Courts of Lower Burma in the year 1885	ix.
12.—(Civil).—Statement showing the number and result of applications and proceedings under Chapter XX, Act XIV of 1882, in Lower Burma in the year 1885... ...	x.
13.—(Civil).—Statement showing the use of jurors and assessors in the Civil Courts of Lower Burma in the year 1885	xi.
Statement showing the total value in litigation and costs for all classes of Civil cases, including executions of decrees and other miscellaneous applications, disposed of in the different classes of Courts in Lower Burma, exclusive of the town of Rangoon, during the year 1885	xii.

RESOLUTION

ON

THE CIVIL JUSTICE REPORT

OF

LOWER BURMA

For the year 1885.

Extract from the Proceedings of the Chief Commissioner, Burma, in the Judicial Department,—No. 7B., dated the 30th September 1886.

READ—

Report on the administration of civil justice in Lower Burma during the year 1885.

RESOLUTION.—In the present report, as in the report on criminal justice, the statistics of civil justice in Rangoon and in the rest of the province have been amalgamated. The same causes as occasioned the late submission of the report on criminal justice have delayed the present report.

2. *Statistics of Regular Suits.*—The following table shows the number of regular suits instituted in Rangoon and in the rest of the province. The large decrease in the number of suits instituted in Courts subordinate to the Judicial Commissioner is partly explained by the fact that no statistics are forthcoming from four Courts in the Shwegyin district, the records of which were destroyed by rebels in December last. The number of suits instituted in those Courts probably amounted to about 1,000 :—

	Suits instituted in			
	The Recorder's Court.	The Court of Small Causes, Rangoon.	Courts subordinate to the Judicial Commissioner.	Total.
1884	212	5,116	30,148	35,961
1885	254	5,752	27,961	33,967

The increase in Rangoon cannot be ascribed to any special causes and is, probably, due to the growth of Rangoon as a commercial town. The work of the Recorder's Court was carried on during the year by one Judge, an additional Recorder having sat for a few days only. Soon after the beginning of the year it was found that one Judge was unable to cope with the rapid increase of work. An endeavour was made to relieve the pressure by passing an Act which authorized the Chief Commissioner to devolve on the District Judges of Moulmein, Akyab, and Bassein the insolvency jurisdiction which the Recorder exercised in those towns under the Burma Courts Act. The same Act empowered the Chief Commissioner to transfer to the Court of the Judicial Commissioner any particular

cases or classes of cases pending in the Court of the Recorder. In spite of the relief afforded by this Act the work in the Recorder's Court was still too heavy for one Judge to dispose of. Accordingly an additional Recorder was appointed at the end of 1885, and two Recorders have been sitting from that date until the present time. A Bill for creating a Chief Court in Lower Burma, which will consist of at least three Judges, is now before the Legislative Council and will, it is hoped, become law before the end of the year.

The number of cases instituted in Courts subordinate to the Judicial Commissioner, even if allowance is made for the number omitted owing to the destruction of records in the Shwegyin district, is less than the number instituted in 1884, but is slightly above the average of the five years from 1880 to 1884 (28,495). These figures show, as the Judicial Commissioner points out, that civil litigation outside Rangoon is practically stationary. A further proof of the unlitigious nature of the Burmese is given by the large number of cases decreed on confession or *ex-parte*. The number of such cases was 4,484 of the former and 4,140 of the latter. The fact that there were only 63 applications to replace cases on the file confirms the view held by the Judicial Commissioner, which has been formed after much careful examination of the work of subordinate Courts, that the rules of the Civil Procedure Code, which forbid the decision of cases *ex-parte* until proof of service of summons on the defendant has been adduced, are now generally observed by the subordinate Judiciary. This is the more satisfactory because in years past Judicial Commissioners have found occasion to comment on the frequent neglect of the law in this respect.

The number of suits on written and unwritten contract increased considerably. The principal decreases took place in suits for money had and received, for goods sold, and for damages. The value of suits instituted increased from Rs. 37,66,108 to Rs. 48,25,499. The increase was contributed in nearly equal proportions by the Rangoon Courts and by the Courts in the rest of the province. The increase in Rangoon corresponded to the increase in the number of suits instituted. In the mofussil it was due to the unusually large value of a few suits instituted at Kyaukpyu and to the more frequent institution of suits of large value in the Irrawaddy division and in Moulmein. Of the suits instituted 58·07 per cent. were valued at less than Rs. 50.

3. *Disposal of work.*—The following table shows the manner of disposal of civil suits:—

	Number.		Percentage to total number.	
	1884.	1885.	1884.	1885.
Without trial	8,292	7,832	22·59	20·63
Without contest	14,165	14,271	38·6	40·16
By arbitration	56	71	·15	·2
With contest { for plaintiff	8,725	8,424	23·78	23 71
With contest { for defendant	3,991	3,840	10·88	10·81
Pending at end of year	1,469	1,595	4·	4·49
Total ...	36,698	35,533	100·	100·

It will be seen that the results of the last two years have been almost identical.

The average duration of contested cases was in Rangoon 62 days, in the Courts outside Rangoon 24 days; of uncontested cases, in Rangoon 29, elsewhere 14 days. These results are not quite so good as those of last year, but the Chief Commissioner agrees with the Judicial Commissioner in thinking that on the whole the Courts of the province dispose of civil business with reasonable celerity. The Judicial Commissioner's remarks on the advantage of making a thorough examination of the parties when a case first comes on for hearing are commended to the attention of Civil Courts. Such a course often renders it possible to decide a case at once and saves the time both of the Judge and of the parties.

4. *Execution of Decrees.*—Eleven thousand and twelve applications for the execution of decrees were made to the Courts during 1885. The following statement shows how applications have been disposed of during the last two years:—

	Number.		Percentage to total number of applications.	
	1884.	1885.	1884.	1885.
Satisfaction obtained in full	3,284	3,397	33·65	30·85
Satisfaction obtained in part	1,737	2,159	17·79	19·61
Wholly infructuous	4,051	4,542	41·51	41·24
Transferred or pending	688	914	7 05	8 3
Total ...	9,760	11,012	100·	100·

The number of applications for execution of decrees increased by upwards of a thousand, but the results obtained were slightly worse than in 1884. Upwards of 50 per cent. of the applications for execution of decrees were made in the four towns of Rangoon, Moulmein, Akyab, and Bassein. The amount realized increased from Rs. 3,92,804 to Rs. 5,58,759, the increase taking place mainly in Courts subordinate to the Judicial Commissioner. There was a considerable decrease in the number of debtors imprisoned, the figures for the last three years being 597, 657, and 522 respectively. On the other hand sales of immovable property increased from 492 to 655. It is to be regretted that the Judicial Commissioner is unable to report that any definite benefit to Karen cultivators in the Bassein district has resulted from the measures taken for their protection in 1883.

5. *Appeals.*—The total number of appeals before the Courts during the year was almost the same as in 1884, the numbers being 1,666 in 1884 and 1,698 in 1885. The results of the appeals were also almost identical with the results of the previous year. The remarks of the Judicial Commissioner on the subject of appeal should receive careful attention from Appellate Courts. Much mischief is done by unnecessary interference with the decisions of subordinate Courts.

6. *Cost of Litigation.*—The cost of litigation outside Rangoon during the year under review differed but little from the cost last year. The following table shows the total sums paid as costs in each class of cases and the percentage borne by the costs to the total value of cases:—

Class of case.	Total value of cases.	Total costs of cases.	Percentage of total costs to total value.
	Rs.	Rs.	
Original suits	31,04,758	4,37,878	14·10
Appeals	2,96,599	56,998	19·22
Execution of decrees	17,44,608	34,328	1·97
Miscellaneous	12,66,104	35,109	2·78

The total receipts of all the Courts of the province are given as Rs. 5,41,806, the total expenditure as Rs. 5,70,939.

The Government of India remarked last year on the high scale of process fees charged in this province and recommended that steps should be taken to reduce these fees. Effect has been given to this recommendation by the introduction of a reduced scale of process fees, as detailed in paragraph 23 of the Judicial Commissioner's report. The new scale will come into force on the 1st October next. The Judicial Commissioner is considering the possibility of further reducing the cost of litigation.

7. *Supervision of Courts.*—The thanks of the Chief Commissioner are due to the Officiating Recorder for the satisfactory manner in which he disposed with but little assistance of a larger amount of Civil business than had come before the Court in any previous year, and to the Judicial Commissioner for the careful and thorough way in which he performed the duties of inspection and supervision. Mr. Meres's remarks on the importance of work of this kind should receive the special attention of District Officers.

By order of the Chief Commissioner,

E. S. SYMES,

Secretary.

THE
CIVIL JUSTICE REPORT
OF
LOWER BURMA
For the year 1885.

PART I.

Courts exercising jurisdiction in the Town of Rangoon.

SPECIAL COURT OF LOWER BURMA.

During the year 1885 there were two appeals preferred from the decision of the Judge of the Town of Moulmein and six were pending at the close of the year 1884, making in all eight appeals for disposal. Of these six were disposed of and two were pending at the close of the year.

In the previous year seven appeals were filed from the decision of the Judge of the Town of Moulmein and six were disposed of.

2. The following is the comparative table showing the results of the past two years:—

Year.	Number of appeals pending at the close of the previous year.	Number of appeals instituted in 1885.	Total for disposal.	Result.					
				Confirmed.	Dismissed.	Modified.	Reversed.	Remanded.	Pending.
1884	5	7	12	6	...	...	...	...	6
1885	6	2	8	2	1	1	2	...	2

3. Besides the above there were three miscellaneous appeals from orders passed by the Judge of Moulmein and two from the Recorder of Rangoon in insolvency matters, and two applications under section 18 of the Burma Courts Act for authority to proceed with certain suits for immovable property, all of which were disposed of during the year.

4. During the year under review an appeal from the decision of the Special Court was preferred to the Privy Council, the result of which is not yet known.

Two appeals preferred to the Privy Council in the year 1883 were dismissed.

5. There was one reference made to this Court by the Court of the Recorder of Rangoon under section 76 of the Burma Courts Act, XVII of 1875. The principal question referred was whether a Burmese Buddhist widow had power to dispose of the whole of the property belonging to herself and her late husband without the consent of the grandchildren and other persons interested in the inheri-

tance. This reference remained pending at the close of the year, but has since been disposed of, and it was held that a Burmese Buddhist widow has not an absolute interest in the whole of the family property on the death of the husband, but that she has an absolute right in respect of her own share and a life interest in the remainder; she has not the right of absolute disposal of the remainder, but only a power of sale in case of necessity.

6. The revenue of the Court during the year from court-fee stamps amounted to Rs. 1,433-3-0 and the expenditure to Rs. 1,772-9-3. In the previous year the revenue was Rs. 1,003-8-0 and the expenditure Rs. 1,800.

W. F. MERES,

R. S. T. MACEWEN,

Judges of the Special Court of Lower Burma.

RANGOON:

The 22nd June 1886.

COURT OF THE RECORDER OF RANGOON.

Report on the administration of civil justice in the Court of the Recorder and in the Court of Small Causes, Rangoon, for the year 1885.

DURING the year 1885 719 cases were instituted, of which 254 were regular (including 3 matrimonial), 1 admiralty, 69 insolvency, and 395 miscellaneous. Besides these there were 3 new trials and 2 reviews granted. In the previous year there were 538 cases instituted, namely, 212 regular, 49 insolvency, and 277 miscellaneous. Besides these there were 2 new trials, showing an increase of 42 regular, 1 admiralty, 20 insolvency, 118 miscellaneous, and 1 new trial and 2 reviews of judgment. The following cases were pending at the close of the year 1884, namely, 107 regular, 1 new trial, 1 admiralty, 32 insolvency, and 21 miscellaneous cases, thus making a total of 886 cases for disposal during the year. Of these 716 were disposed of, namely, 234 regular (of which 12 cases were disposed of by the Judicial Commissioner under section 4 of Act XIV of 1885), 3 new trials, 2 reviews, 73 insolvency (including 7 cases transferred to the Judge of Moulmein and 3 to the District Judge of Akyab), and 404 miscellaneous cases. The number of cases pending at the close of the year 1885 was 170, namely, 127 regular, 1 new trial, 2 admiralty, 28 insolvency, and 12 miscellaneous cases.

2. In the previous year 199 regular, 1 new trial, 30 insolvency, and 271 miscellaneous cases were disposed of, making a total of 501 cases.

3. The number of cases of all kinds disposed of in 1885 was 716, or 215 more than in 1884.

4. The total value of suits instituted during the year amounted to Rs. 9,83,023, and the amount of court-fee stamps realized was Rs. 78,126, while the total value of suits disposed of amounted to Rs. 10,32,023. In the year 1884 the value of suits instituted amounted to Rs. 6,09,925, and the court-fee stamps Rs. 45,276, the value of suits disposed of being Rs. 6,03,956. Thus, it will be observed, there has been an increase under every head.

5. The above particulars are shown in detail in the following tables :—

Year	Number of suits instituted.							Number of suits disposed of.							Number of suits pending							Value of suits instituted.	Value of suits disposed of.
	Regular.	New trials.	Reviews.	Vice-admiralty jurisdiction.	Insolvency.	Miscellaneous	Total.	Regular.	New trials.	Reviews.	Vice-admiralty jurisdiction.	Insolvency.	Miscellaneous	Total.	Regular.	New trials.	Reviews.	Vice-admiralty jurisdiction.	Insolvency.	Miscellaneous	Total.		
																						Rs	Rs.
1884	212	2		...	49	277	540	199	1		...	30	271	501	107	1	...	1	32	21	162	6,09,925	6,03,956
1885 ..	254	3	2	1	69	395	724	234*	3	2	...	73†	404	716	127	1	.	2	28	12	170	9,83,023	10,32,023
Increase	42	1	2	1	20	118	184	35	2	2	...	43	133	215	20	...	...	1	...	..	8	3,73,098	4,28,067
Decrease	...	..	.	...	.	..	..	..	..	.	...	..	...	...	...	...	...	..	4	9	...	..	..

* Twelve disposed of by Judicial Commissioner under Act XIV of 1885.
† Includes 10 cases transferred to Moulmein and Akyab.

Statement of Court-fees realized.

Year.	Process fees.	Amount realized under Act VII of 1870, Schedule I, Articles 1 to 9 inclusive.	Amount realized under the same schedule, Nos. X to XII.	Amount realized under Schedule II.	Total.
	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
1884	2,397 8 0	26,911 14 0	14,918 0 0	1,048 14 0	45,276 4 0
1885	2,650 8 0	42,497 0 0	31,554 0 0	1,424 14 0	78,126 6 0
Increase ...	253 0 0	15,585 2 0	16,636 0 0	376 0 0	32,850 2 0
Decrease ...	.....	.....	.....	.....	.....

6. Of the 239 regular cases (including three new trials and two reviews) disposed of, 101 were contested and 138 uncontested. The average duration of the former was 201 days and of the latter 89 days.

7. There were 40 applications made to this Court under section 622 of the Civil Procedure Code for revision of the judgments and decrees passed by the First Judge of the Small Cause Court, and there were also two such cases pending at the close of the previous year. In 13 of these cases the judgments and decrees were reversed; in eight amendments were ordered and procedure pointed out: the decisions in the remaining cases were not interfered with.

8. There were also four applications for revision against the judgments and decrees of the Second Judge of the Small Cause Court. In two cases the judgments and decrees were reversed and in the two others the decisions were not interfered with.

9. There was one reference made to the Special Court of British Burma on points of law under section 76 of the Burma Courts Act.

10. During the year one appeal was preferred to the Privy Council and one to the High Court of Calcutta from the judgments and decrees of this Court, the results of which are not known. Of the two appeals which were preferred in the previous year to the Privy Council one was dismissed by default and the other is still pending. The appeal which was preferred to the High Court of Calcutta in the previous year was also pending at the close of 1885, but disposed of in the beginning of the current year, the appeal being dismissed by default.

11. The following table shows the classes to whose estates probates and letters-of-administration were granted during the year and the value of the estates:—

Class.	Number of probates granted.	Number of letters-of-administration.	Number of letters-of-administration with will.	Value of estates.
				Rs.
Europeans and Eurasians	8	8	8	6,89,400
Buddhists { Burmese	...	1	...	2,500
Buddhists { Chinese	2	1	...	4,08,000
Mahomedans	4	6	...	5,12,700
Hindus	...	4	...	11,100
Total ...	14	15	8	16,23,700

12. In the previous year nine probates and 21 letters-of-administration were granted. The value of estates amounted to Rs. 7,58,000 and the court-fee

stamps to Rs. 14,918, the amount of court-fees recovered in the year under review being Rs. 16,636 more than in 1884.

Vice-Admiralty Jurisdiction.

13. During the year only one case of the value of Rs. 691-9-6 was filed under this jurisdiction and was pending at the close of the year.

Insolvency Jurisdiction.

14. There were 69 petitions presented in this jurisdiction during the year, of which 51 were for personal discharge, six for final discharge, and 12 persons were adjudicated insolvents, and the petitions of 32 persons were pending at the close of the previous year.

15. There were seven cases transferred to the Judge of Moulmein and three to the District Judge of Akyab for disposal under Act XIV of 1885.

16. The following table shows the particulars of the insolvency cases :—

Town.	Number of persons whose applications were pending at the close of 1884.	Number of petitions filed during 1885.	Number of persons.	Total number of persons.	Result.								
					Personal discharge granted.	Final discharge granted.	Adjudicated insolvents.	Dismissed.	Rejected.	Withdrawn.	Struck off in default or annulled.	Pending.	Transferred.
Rangoon ...	24	65	70	94	32	5	11	5	1	9	1	30	...
Moulmein ...	5	4	5	10	...	...	...	...	...	...	...	...	10
Akyab ...	3	...	...	3	...	...	...	...	...	...	...	...	3
	...	...	...	...	...	...	...	...	...	...	...	...	...
Total ...	32	69	75	107	32	5	11	5	1	9	1	30	13

17. In the year 1884 there were 49 petitions presented by 60 persons.

During the year the Recorder visited Moulmein once, but was not able to visit Akyab from press of work. The insolvency jurisdiction exercised by the Recorder having since been vested in the Chief Civil Judges of the towns of Moulmein and Akyab, the necessity for further visits has ceased to exist.

18. Mr. W. F. Agnew was Recorder from the 1st January to the 1st May, and Mr. R. S. T. MacEwen officiated as Recorder from the 4th May to the end of the year.

19. Mr. C. E. Fox officiated as Additional Recorder from the 7th to the 31st December.

20. The total revenue of the Court during the year was Rs. 78,179-15-0, and the expenditure was Rs. 57,426-1-2.

21. The following table gives in detail the receipts and expenditure :—

Receipts.	Rs.	A.	P.	Expenditure.	Rs.	A.	P.
Amount realized by court-fee stamps.	78,126	6	0	Recorder's salary	31,477	9	0
Amount realized by fines	2	0	0	Additional Recorder's salary ...	2,322	9	3
Amount of stamp penalty	50	8	0	Establishment	20,361	0	11
Amount realized by the sale of empty stationery cases.	1	1	0	Process-serving establishment, being one-third of bailiff's salary and two peons, the remainder being charged to the Small Cause Court.	1,568	0	0
				Contingencies	869	10	6
				Rates and taxes	482	0	0
				Subsistence of witnesses in criminal cases	255	3	6
				Travelling allowance of Recorder and establishment.	140	0	0
				Balance of receipts over expenditure ...	20,758	13	10
Total ...	78,179	15	0	Total ...	78,179	15	0

THE COURT OF SMALL CAUSES.

22. There were 5,752 regular and 4,171 miscellaneous suits instituted during the year 1885, making a total of 9,923 suits. The number of suits of all kinds filed in 1884 was 8,503, so that there was an increase in 1885 of 1,420 in all, of which 636 were regular and 784 miscellaneous.

23. There were 1,338 plaints filed in Burmese before the Second Judge in 1885.

24. The total value of suits instituted in 1885 was Rs. 6,26,236-11-5, being an increase over the previous year of Rs. 1,14,058-12-5. The average amount at issue in each suit was Rs. 108-14-0, that in 1884 was Rs. 100-10-10.

25. Nine thousand eight hundred and two suits of both classes were disposed of. The First Judge disposed of 1,793 regular and 3,851 miscellaneous suits, making a total of 5,644. The Second Judge disposed of 3,830 regular and 328 miscellaneous suits, making a total of 4,158.

26. The First Judge disposed of 415 contested cases, the average duration of which was 70½ days, and 1,378 uncontested cases, the average duration being 33·64 days.

27. The Second Judge disposed of 836 contested and 2,994 uncontested cases, the average duration being 42·2 and 25·2 days respectively.

28. The number of suits pending at the close of the year was 588 regular and 172 miscellaneous, making a total of 760. The number pending at the close of 1884 was 391 regular and 180 miscellaneous suits, making a total of 571.

29. There were 2,629 applications to execute decrees as against 1,970 in 1884.

30. There were 37 applications filed under Chapter XX of the Code of Civil Procedure and 28 in 1884.

31. There were 1,505 miscellaneous application, other than applications for execution of decrees filed in 1885.

32. The value of stamps used was Rs. 51,986-14-0, being an increase of Rs. 9,781-10-0 over the previous year.

33. The financial statement which follows shows an excess of receipts over expenditure of Rs. 31,534-1-0.

34. The following is a statement of receipts and expenditure for the year 1885 :—

Receipts.	Amount.			Expenditure.	Amount.		
	Rs.	A.	P.		Rs.	A.	P.
Amount realized by stamps ...	51,986	14	0	First Judge's pay	11,993	8	9
Tullubana fund collected in cash ...	10,885	6	0	Second Judge's pay	6,000	0	0
Fines	22	8	0	Establishment	12,437	5	9
Stamp penalty levied on insufficiently stamped documents.	66	8	0	Contingencies	998	5	6
By sale of empty stationery cases...	2	1	0	Total ...	31,429	4	0
				Balance of receipts over expenditure.	31,534	1	0
Total ...	62,963	5	0	Total ...	62,963	5	0

35. Mr. Thomas Owen officiated as First Judge from the commencement of the year till the 12th March, when he made over charge to Mr. Lingham on the return of the latter from sick leave.

36. Maung Ba Wa was Second Judge throughout the year.

General Remarks.

37. The business in the Recorder's Court was larger in the year under report than in any previous year.

38. The following figures show that the work and income of the Court have been increasing steadily during the past three years :—

Year.	Cases.	Income. Rs.	A.	P.
1883	337	31,920	9	0
1884	540	45,276	4	0
1885	724	78,126	6	0

39. The number of cases pending at the close of the year was only 170, or eight more than in 1884, while 215 more cases were disposed of in 1885 than in 1884. The number of regular suits disposed of in 1884 was 200; in 1885 the number was 239, of which 12 were heard by the Judicial Commissioner. Two Recorders sat for three months in 1884, while in 1885 the Additional Recorder sat for a few days only, namely, from the 7th to the 23rd December. To this steady increase on the civil side has to be added the criminal work of the Court, thus providing ample employment for two Judges at all times.

RANGOON:
The 25th May 1886.

R. S. T. MACEWEN,
Officiating Recorder.

PART II.

Courts under the Supervision of the Judicial Commissioner.

From W. F. MERES, Esq., B.A., C.S., Officiating Judicial Commissioner, to the Secretary to the Chief Commissioner, Burma,—No. 1580-1, dated the 28th August 1886.

I BEG to forward herewith the statements relating to the administration of civil justice in 1885 in my Court and in the Courts subordinate to my Court, together with the following report.

I also forward consolidated statements for the whole lower province including the town of Rangoon, as well as the work of the Special Court on the civil side, for the year 1885. As, however, separate reports have dealt with these additions to my consolidated returns, the following report relates only to my own Court and to the Courts outside the town of Rangoon, including those of the Arakan Hill Tracts.

2. In my report on the administration of criminal justice for the year 1885, dated the 10th current, I stated that that report was submitted late; and I explained that the delay was due to the unusual prevalence of crime, since the close of the year 1885, in the valleys of the Irrawaddy and Salween rivers, which had taxed the time and attention of District Officers.

The same causes have prevented the earlier submission of the present report, the last divisional report having reached my office on the 26th July.

3. The disturbances in the district of Shwegyin involved the destruction of the records of four Courts in that district. The Deputy Commissioner, Shwegyin, writes:

"The results shown exclude all statements from the four following Courts,—
the Assistant Commissioner of Sittang;
the Myoôk of Sittang;
the Extra Assistant Commissioner, Bilin; and
the Myoôk of Kyaukkyi.

"The records of the above Courts for the last two quarters of last year and the whole of the registers have been completely destroyed by rebels. The quarterly returns for the first three quarters for each of the above Courts are, it is true, in the headquarter office, but the yearly returns include statements which cannot be compiled from the quarterly returns and for which reference must be made to the Court registers. It has, therefore, been found impossible to complete statements for the four Courts mentioned. I may, however, from my own observations state that, owing to the removal of the Myoôk's Court of Sittang from Sittang to Kyaikto, and the transfer of the Taikkala circle from the Bilin to the Sittang township, the civil work of the latter Court has very greatly increased, no doubt, to the convenience of suitors."

ORIGINAL JURISDICTION.

4. (1) *The Court of the Judicial Commissioner.*—Twelve long pending cases were transferred from the file of the Recorder to that of the Judicial Commissioner and were disposed of within the year.

(2) *Civil Courts subordinate to the Judicial Commissioner.*—The total number of institutions in each year since 1880 are as follows:—

Year.	
1880	27,580
1881	27,675
1882	28,215
1883	28,906
1884	30,148
1885	27,961

or allowing 1,028 cases, the difference between the institutions of Shwegyin in 1884 and 1885, as the reduction of the figures of 1885, due to the destruction of records, the figures for 1885 would, probably, be about 29,000 institutions.

These figures show that civil litigation in this province is remarkably stationary. Although the population has increased by about a million since it was returned in February 1881 at 3,736,771, the institutions for 1885 are nearly the

same as in 1881. I am led to believe that Burmans have not learned, or are not disposed to take advantage of, the evasions and delays which our procedure too often affords to dishonest debtors in other parts of India.

5. The following table shows the number of cases instituted in the different Courts of original jurisdiction, the number disposed of, and the state of the files at the close of the year as compared with similar results for the preceding year :—

Division.	Name of district	Instituted.		Disposed of.		Pending at close of year. Above four months.		Pending at close of year. Total pending.	
		1884.	1885.	1884.	1885.	1884.	1885.	1884.	1885.
Arakan.	Akyab	1,545	1,527	1,532	1,528	3	1	59	67
	Akyab Small Cause Court	439	435	435	437	...	...	5	3
	Kyaukpyu	680	669	678	669	1	...	10	10
	Sandoway	292	304	286	308	...	...	7	5
	Northern Arakan	124	95	124	97	...	...	2	...
	Total ...	3,070	3,030	3,055	3,039	4	1	83	85
Pegu.	Hanthawaddy	1,130	903	1,099	938	1	1	55	21
	Pegu	1,967	1,825	1,953	1,877	9	...	108	56
	Pegu Small Cause Court	..	45	...	39	...	...	...	6
	Tharrawaddy	1,757	2,083	1,700	2,149	...	...	89	45
	Tharrawaddy Small Cause Court ...	354	...	357	...	...	...	...	...
	Prome	1,942	1,720	1,912	1,687	2	...	52	91
	Prome Small Cause Courts	317	507	316	511	...	...	3	3
	Judicial Commissioner	...	...	...	12	...	...	...	...
	Total ...	7,487	7,083	7,337	7,213	12	1	307	222
Irrawaddy.	Henzada	1,867	1,820	1,898	1,829	...	...	33	22
	Henzada Small Cause Courts	610	635	613	631	...	...	11	14
	Bassein	3,356	2,655	3,370	2,653	...	1	49	61
	Bassein Small Cause Courts	381	861	381	855	...	..	1	6
	Thôngwa	3,645	3,170	3,641	3,208	1	10	89	71
	Thayetmyo	1,227	1,301	1,222	1,270	...	...	54	79
	Thayetmyo Small Cause Court ...	177	156	175	161	...	...	6	1
	Commissioner of Irrawaddy	...	...	...	1	...	...	...	...
	Total ...	11,263	10,598	11,309	10,615	1	11	243	254
Tenasserim.	Amherst	1,573	1,510	1,583	1,515	4	...	93	33
	Shwegyin	1,515	487	1,455	514	3	...	115	17
	Shwegyin Small Cause Courts... ...	213	206	215	194	...	...	2	14
	Toungoo	906	663	913	676	1	...	22	11
	Toungoo Small Cause Court	425	586	425	573	1	...	7	20
	Tavoy	400	549	469	549	...	...	13	13
	Mergui	544	543	538	548	...	...	13	10
	Salween	40	56	38	57	...	1	2	1
	Moulmein Judge's Court	109	136	105	128	4	8	17	25
	Moulmein Small Cause side ..	2,543	2,514	2,520	2,455	4	6	113	174
	Total ...	8,728	7,250	8,262	7,209	17	15	337	318
	Grand Total ...	30,148	27,961	29,963	28,076	34	28	970	879
	Increase ..	...	...	...	...	...	...	...	...
	Decrease ...	...	2,187	..	1,887	...	6	...	91

6. The increase and decrease of institutions in the different districts in the year are shown below :—

Division.	Name of district	Increase		Decrease	
		Instituted.	Disposed of.	Instituted	Disposed of.
Arakan.	Akyab	...	...	22	2
	Kyaukpyu	...	...	11	9
	Sandoway	22	22	..	...
	Northern Arakan	...	...	29	27
	Total ...	...	...	40	16
Pegu	Hanthawaddy	...	...	227	161
	Pegu	...	...	117	87
	Tharrawaddy	...	92	28	...
	Prome	...	...	32	30
	Judicial Commissioner	...	12	...	...
	Total ...	...	...	404	124
Irrawaddy.	Henzada	...	...	22	51
	Bassein	...	...	221	251
	Thôngwa	...	...	475	433
	Thayetmyo	53	40	...	...
	Commissioner of Irrawaddy	...	1	...	...
	Total ...	...	...	665	694
Tenasserim	Amherst	...	...	63	68
	Shwegyin	...	...	1,035	963
	Toungoo	...	...	82	89
	Tavoy	89	80	...	...
	Mergui	...	10	1	...
	Salween	16	19	...	...
	Moulmein	...	...	2	42
	Total ...	..	...	1,078	1,058
	Grand Total ...	...	...	2,187	1,887

In the Arakan division the institutions of 1885 are within 40 cases of the institutions of 1884; in the other divisions the institutions of 1885 are nearly those of 1884. In the whole province the apparent difference is only 2,187 cases, or allowing 1,028 cases due to the destruction of records in Shwegyin, the actual difference would be 1,159 cases. I find it very difficult to assign any probable cause for the slight differences between the figures for 1884 and 1885 distributed over the whole province.

7. The following table shows the character of the original litigation in the different districts and classes of Courts :—

Division.	Name of district.	Number of suits. On written obligation.	On unwritten obligation.	On account stated.	For money had and received.	For goods sold.	For breach of contract not mentioned above.	For rent.	For movable property or value thereof.	For damages.	For immovable property or interest therein.	For specific performance of contract.	For dissolution of marriage or for enforcement of matrimonial rights.	Other suits.	Total.
Arakan.	Akyab	622	152	50	30	108	34	111	204	81	41	...	17	177	1,527
	Akyab Small Cause Court.	145	50	75	30	68	3	19	14	3	..	...	...	28	435
	Kyaukpyu	109	87	3	63	69	...	15	112	44	48	2	4	113	669
	Sandoway	95	85	...	11	25	3	6	5	67	28	1	6	32	304
	Northern Arakan ...	...	...	...	40	19	...	...	4	1	...	...	15	16	95
	Total ...	811	374	128	174	289	40	151	339	196	117	3	42	366	3,030
Pegu.	Hanthawaddy ...	177	204	7	83	138	5	8	90	61	20	1	17	124	903
	Pegu	614	581	27	16	166	3	21	164	48	14	4	28	189	1,925
	Pegu Small Cause Court	13	5	9	...	...	1	2	12	...	...	...	...	2	45
	Tharrawaddy ...	202	335	8	59	270	...	1	403	403	126	21	54	141	2,063
	Tharrawaddy Small Cause Court.	...	...	...	...	...	...	...	...	...	...	...	...	...	...
	Prome	364	326	16	22	360	2	36	123	156	161	...	63	61	1,720
	Prome Small Cause Courts.	101	101	2	16	106	3	31	77	59	...	...	...	11	507
	Judicial Commissioner	...	...	...	...	...	...	...	...	...	...	...	...	...	...
	Total ...	1,531	1,502	69	146	1,040	14	99	878	727	320	26	189	549	7,063
Irrawaddy.	Henzada	277	201	5	255	158	...	18	262	385	126	1	80	52	1,820
	Henzada Small Cause Courts.	192	104	...	24	151	...	33	39	15	16	...	...	1	635
	Bassein	457	482	25	162	384	18	29	412	305	134	...	112	135	2,655
	Bassein Small Cause Courts.	229	147	...	104	180	...	27	66	79	...	...	...	20	861
	Thôngwa	667	604	25	116	651	223	80	292	130	74	...	69	239	3,170
	Thayetmyo	265	187	10	88	211	113	22	147	142	83	...	24	38	1,301
	Thayetmyo Small Cause Court.	68	12	...	...	67	...	12	...	2	...	...	...	...	156
	Commissioner of Irrawaddy.	...	...	...	...	...	...	...	...	...	...	...	...	...	...
	Total ...	2,155	1,767	65	749	1,797	354	222	1,218	1,058	433	1	285	494	10,598
Tenasserim.	Amherst	368	270	24	118	192	30	47	232	52	69	1	30	138	1,510
	Shwegyin	186	114	...	38	35	14	3	15	42	5	...	4	31	487
	Shwegyin Small Cause Courts.	48	62	2	31	35	...	2	1	14	...	...	...	11	206
	Toungoo	86	94	6	24	64	...	36	101	95	39	...	30	68	663
	Toungoo Small Cause Court.	278	48	13	32	95	2	...	59	...	...	...	...	54	586
	Tavoy	88	87	9	40	100	...	21	48	14	60	...	16	48	549
	Mergui	205	78	6	31	90	28	15	18	29	3	...	9	31	543
	Salween	17	10	...	...	19	6	1	...	3	...	...	...	...	56
	Moulmein Judge's Court	45	2	..	1	2	4	...	3	2	7	8	5	57	136
	Moulmein Small Cause side.	1,282	148	43	97	448	5	13	87	50	...	...	...	235	2,514
	Total ...	2,598	922	103	421	1,030	89	138	564	307	192	9	94	763	7,230
	Grand Total ...	7,095	4,565	365	1,490	4,156	497	610	2,999	2,288	1,062	39	608	2,192	27,961
	In 1884 ...	6,805	3,539	398	2,201	5,046	1,540	600	3,007	3,186	1,030	35	828	2,034	30,148
	Increase ...	290	1,026	...	...	...	...	...	...	...	23	4	...	158	...
	Decrease ...	...	...	33	711	890	1,043	90	8	898	...	...	25	...	2,187

8. The table below shows the value of original suits.

Division.	Name of district.	Number of suits instituted valued at not exceeding— Rs. 10.	Rs. 50.	Rs. 100.	Rs. 500.	Rs. 1,000.	Rs. 5,000.	Rs. 10,000.	Exceeding Rs. 10,000.	Number of suits the value of which cannot be estimated in money.	Total value of suits. Rs. A. P.
Arakan.	Akyab	212	596	277	361	54	17	4	1	5	2,39,285 9 9
	Akyab Small Cause Court ..	98	224	113	..	..	..	..	..	..	14,085 3 3
	Kyaukpyu	164	323	90	51	5	3	..	1	12	2,49,321 10 10
	Sandoway	124	118	36	22	.	..	..	..	4	10,566 12 10
	Northern Arakan ..	27	45	6	15	..	..	..	..	2	5,189 6 6
	Total ..	615	1,306	522	449	59	20	4	2	23	5,18,398 11 2
Pegu.	Hanthawaddy	84	323	271	185	13	10	..	1	16	1,22,150 10 6
	Pegu	114	571	503	509	69	31	1	..	27	2,65,054 5 8
	Pegu Small Cause Court ..	5	40	..	..	..	..	..	..	..	2,280 12 9
	Tharrawaddy	328	1,037	393	281	8	2	..	..	89	1,06,428 7 10
	Tharrawaddy Small Cause Court.	..	..	..	..	..	..	..	..	..	....
	Prome	349	682	308	309	19	13	1	..	44	1,38,338 11 7
	Prome Small Cause Courts ..	132	298	77	..	..	..	..	..	..	14,715 6 0
	Judicial Commissioner ..	..	..	..	..	..	..	..	..	..	....
	Total ..	1,012	2,951	1,547	1,284	104	56	2	1	176	6,48,918 6 4
Irrawaddy.	Henzada	315	774	365	261	16	5	..	..	84	1,17,996 11 0
	Henzada Small Cause Courts	123	307	126	79	..	..	..	..	..	29,421 6 5
	Bassein	395	941	614	522	38	32	10	3	100	4,94,724 9 1
	Bassein Small Cause Courts..	207	580	74	..	..	..	..	..	..	21,633 9 5
	Thôngwa	418	1,178	899	559	37	10	2	..	72	2,66,192 11 6
	Thayetmyo	314	564	249	135	10	3	..	..	26	68,355 0 6
	Thayetmyo Small Cause Court	58	74	17	7	..	..	..	..	..	4,410 4 6
	Commissioner of Irrawaddy ..	..	..	..	..	..	..	..	..	..	....
	Total ..	1,825	4,418	2,344	1,563	101	50	12	3	282	10,02,734 4 5
Tenasserim	Amherst	271	704	307	194	9	9	2	..	14	1,34,887 10 8
	Shwegyin	30	136	150	132	18	8	..	..	13	66,829 6 10
	Shwegyin Small Cause Court	60	146	..	..	..	..	..	..	..	4,357 9 6
	Toungoo	121	289	104	80	16	16	2	..	35	90,373 6 9
	Toungoo Small Cause Court	84	274	111	117	..	..	..	..	..	39,596 12 6
	Tavoy	116	296	84	47	2	3	..	..	1	29,269 3 10
	Mergui	70	267	110	90	1	1	..	..	4	33,127 7 2
	Salween	..	6	24	25	1	..	..	..	..	8,479 7 6
	Moulmein Judge's Court ..	..	3	3	19	9	76	11	8	7	4,28,198 5 6
	Moulmein Small Cause side ..	371	1,145	427	510	61	..	..	..	..	2,10,768 6 0
	Total ..	1,123	3,266	1,320	1,214	117	113	15	8	74	10,46,187 12 3
	Grand Total ..	4,605	11,941	5,733	4,460	381	239	33	14	555	32,16,239 2 2
	In 1884 ..	4,565	12,196	7,148	5,002	355	212	14	6	650	26,44,005 1 0
	Increase ..	40	..	..	..	26	27	19	8	..	5,72,234 1 2
	Decrease ..	..	255	1,415	542	..	..	..	..	95	....

This table shows that the bulk of the suits are of a petty character, nearly 60 per cent. of them being valued at less than Rs. 50. In the Arakan division the most noticeable increase of value is in the district of Kyaukpyu, where the institutions were valued at Rs. 33,259 in 1884 and at Rs. 2,49,322 in 1885. Some suits in connection with the Arakan Oil Company, whose works are in that district, in part account for this increase.

In the Pegu division the figures are nearly stationary.

In the Irrawaddy division the values are swelled by the institution of 32 cases under Rs. 5,000 against 14 in 1884, by 10 cases under Rs. 10,000, and by three cases over 10,000 against one case in 1884.

In the Tenasserim division the increase is chiefly in the Moulmein Judge's Court, where there were eight cases valued at over Rs. 10,000, while there was but one such case in 1884.

9. The manner in which the litigation was disposed of in the several Courts is shown below :—

Division.	Name of district.	Number of cases brought on the file, including pending from last year.	Transferred.	Plaint rejected or returned.	Dismissed for default.	Withdrawn with leave.	Compromised.	Decreed on confession.	Decreed *ex-parte*.	Dismissed *ex-parte*.	Contested cases. Judgment for plaintiff in whole or in part.	Contested cases. Judgment for defendant.	Total disposed of.	Pending.	Referred to arbitration.
Arakan.	Akyab	1,595	...	7	268	26	157	246	317	4	361	142	1,528	67	...
	Akyab Small Cause Court ...	440	...		92	1	45	61	107	1	116	14	437	3	...
	Kyaukpyu	679	...	1	106	10	129	105	41	...	205	71	669	10	1
	Sandoway	318		...	57	2	43	51	15	1	85	54	308	5	...
	Northern Arakan ...	97	...	9	10	8	7	30	5	...	22	6	97	...	...
	Total ...	3,124	...	17	533	47	381	493	485	6	789	287	3,039	85	1
Pegu.	Hanthawaddy	969	..	1	295	8	59	138	82	1	244	108	938	21	2
	Pegu	1,933		7	510	31	70	301	312	7	498	151	1,877	56	2
	Pegu Small Cause Court ...	45	...	...	9	...	...	5	5	...	13	6	39	6	...
	Tharrawaddy	2,194	1	6	588	21	105	202	179	10	619	326	2,149	45	3
	Tharrawaddy Small Cause Court.	...	...	...	...	..	...	...	...	...	...	...	...	...	...
	Prome	1,778	3	..	326	29	34	290	214	36	478	278	1,687	91	
	Prome Small Cause Courts ...	514	...	...	152	11	7	97	50	8	98	88	511	3	...
	Judicial Commissioner ...	12	...	...	.	1	...	.	1	3	6	1	12	...	...
	Total ...	7,425	4	14	1,880	101	365	1,102	844	65	1,970	955	7,213	222	8
Irrawaddy.	Henzada	1,851	1	7	392	26	62	244	106	21	623	319	1,899	22	9
	Henzada Small Cause Courts	645	2	...	185	1	17	142	100	...	135	51	631	14	...
	Bassein	2,714	4	2	500	20	207	370	378	4	783	364	2,653	61	5
	Bassein Small Cause Courts	862	...	...	223	8	43	179	105	..	214	84	856	6	..
	Thôngwa	3,279	...	3	1,067	62	138	473	416	11	705	322	3,208	71	11
	Thayetmyo . ..	1,365	..	...	184	47	147	187	111	117	336	184	1,276	79	13
	Thayetmyo Small Cause Court	162	5	...	14	...	5	87	49	.	..	6	161	1	..
	Commissioner of Irrawaddy	1	...	...	...	...	..	...	...	...	...	1	1	...	...
	Total ..	10,809	12	12	2,515	164	630	1,682	1,265	158	2,796	1,351	10,615	254	38
Tenasserim.	Amherst	1,548	...	27	160	46	120	245	184	66	446	202	1,515	33	10
	Shwegyin	531	2	70	5	...	71	104	56	...	148	60	514	17	...
	Shwegyin Small Cause Courts	208	...	8	20	...	21	70	35	2	30	8	194	14	...
	Toungoo ...	687	...	8	73	18	23	129	61	1	250	113	676	11	...
	Toungoo Small Cause Court	593	...	...	93	5	35	158	85	2	137	58	573	20	...
	Tavoy	552	...	1	93	22	15	85	17	..	237	80	549	18	...
	Mergui	558	...	2	1	11	14	211	70	36	140	63	548	10	...
	Salween.	58	...	...	6	1	...	3	12	...	19	14	57	1	...
	Moulmein Judge's Court ...	153	...	...	...	1	8	15	23	...	53	23	198	25	5
	Moulmein Small Cause side	2,939	...	9	315	15	148	167	1,003	4	551	214	2,455	174	9
	Total ...	7,527	2	125	767	119	455	1,207	1,546	111	2,011	844	7,209	318	24
	Grand Total ...	28,935	18	168	5,695	431	1,840	4,484	4,140	335	7,475	3,437	28,076	879	71
	In 1884 ...	30,933	87	229	6,046	394	2,053	4,498	4,430	176	7,799	3,587	29,963	970	55

Out of 28,076 cases disposed of in the year only 10,912 came to trial on the merits. I have learned on enquiry in my tours that in ordinary cases, as soon as the plaintiff shows that he is in earnest for his money, the defendant usually satisfies the claim. These figures clearly bear out this explanation. Thus, out of 28,076 cases disposed of, 4,484 cases were decreed on confession, and 5,695 cases were dismissed on default of prosecution. It may be fairly presumed that in some of the cases dismissed for want of prosecution the plaintiff was satisfied.

It has been my duty to examine a large number of *ex-parte* cases decided in outlying Courts, remote from headquarters, and I have found very few instances of careless procedure in the matter of proof of service of notice. Sometimes I have observed an excess of caution in this respect, and have found instances of the Court insisting on fresh process against the defendant when the requirements of the law had been completely complied with, in the hope of getting the defendant to appear.

I think the figures fully support my experiences in this respect, for although there were 4,140 cases decreed *ex-parte* and 335 suits dismissed *ex-parte*, there were only 63 applications to replace cases on the file, and some of these were probably made by plaintiffs in the 5,695 cases which were dismissed by default. I think these figures are good evidence of the generally orderly conduct of civil judicial work by the Native Judges of this province.

10. The average duration of suits in Courts of original jurisdiction was as follows :—

Division.	Name of district.	Average duration of suits. For previous year. Contested.	For previous year. Uncontested.	For year of report. Contested.	For year of report. Uncontested.
Arakan.	Akyab	28	17	27	18
	Akyab Small Cause Court	10	8	7	8
	Kyaukpyu	12	8	18	9
	Sandoway	27	18	26	16
	Northern Arakan	11	7	8	7
	Total ...	18	14	22	14
Pegu.	Hanthawaddy	35	17	33	13
	Pegu	31	18	41	18
	Pegu Small Cause Court	...	...	22	16
	Tharrawaddy	14	6	36	28
	Tharrawaddy Small Cause Court	7	4	...	...
	Prome	21	16	28	14
	Prome Small Cause Courts	10	11	18	16
	Judicial Commissioner	...	...	37	31
	Total ...	22	14	32	18
Irrawaddy.	Henzada	12	9	14	10
	Henzada Small Cause Courts	6	6	13	13
	Bassein	18	11	18	12
	Bassein Small Cause Courts	4	4	9	6
	Thôngwa	20	13	28	13
	Thayetmyo	15	12	20	15
	Thayetmyo Small Cause Court	13	11	14	11
	Commissioner of Irrawaddy	...	...	120	...
	Total ...	16	11	19	12
Tenasserim.	Amherst	16	10	23	10
	Shwegyin	35	9	10	7
	Shwegyin Small Cause Courts	11	11	12	7
	Toungoo	13	18	27	14
	Toungoo Small Cause Court	9	10	11	9
	Tavoy	17	9	24	13
	Mergui	9	2	38	14
	Salween	12	13	12	25
	Moulmein Judge's Court	76	15	69	16
	Moulmein Small Cause Side	28	16	24	17
	Total ...	21	12	24	13
	Grand Total ...	19	12	24	14

The average duration of cases is low and, I think, they are disposed of with reasonable expedition. Contested cases often last longer than they otherwise would if the Judges would take the precaution of examining the parties. This is very frequently omitted. There is a deeply-rooted notion in the minds of Native Judges here that after the parties have filed written statements they are unlikely to be able to give any more information about the matter, and a common result is that the Courts order postponements and go at length into questions which would, probably, be cleared up at the first hearing by confronting the parties. I have done my best to correct this error. The high average shown against the Commissioner of Irrawaddy represents the trial of a single contested suit.

11. The following table shows the number of applications for execution and the degree in which the applications were satisfied :—

Division.	Name of district.	Number of applications for execution, including those pending from last year.	Decrees completely executed.	Decrees partially executed.	Pending at close of year.
Arakan.	Akyab	604	195	146	44
	Akyab Small Cause Court	159	50	17	8
	Kyaukpyu	149	65	40	13
	Sandoway	39	17	8	6
	Northern Arakan	8	6	1	...
	Total ...	959	333	207	66
Pegu.	Hanthawaddy	284	87	72	30
	Pegu	658	286	163	54
	Pegu Small Cause Court	4	1	2	...
	Tharrawaddy	361	200	61	13
	Tharrawaddy Small Cause Court	...	...	...	...
	Prome	369	178	76	35
	Prome Small Cause Courts	42	27	8	...
	Judicial Commissioner	5	4	1	...
	Total ...	1,723	733	378	132
Irrawaddy.	Henzada	316	119	52	36
	Henzada Small Cause Courts	194	99	40	14
	Bassein	784	248	130	28
	Bassein Small Cause Courts	146	40	16	2
	Thôngwa	753	270	131	43
	Thayetmyo	295	94	52	24
	Thayetmyo Small Cause Court	65	32	23	6
	Total ...	2,553	902	444	153
Tenasserim.	Amherst	640	270	114	38
	Shwegyin	209	77	65	18
	Shwegyin Small Cause Courts	70	11	34	8
	Toungoo	249	63	73	21
	Toungoo Small Cause Court	147	25	39	8
	Tavoy	127	83	22	2
	Mergui	190	85	73	11
	Salween	20	4	15	...
	Moulmein Judge's Court	97	18	16	7
	Moulmein Small Cause side	1,142	177	276	63
	Total ...	2,891	813	727	171
	Grand Total ...	8,126	2,781	1,756	522
	In 1884 ...	7,617	2,781	1,450	526

The higher figures generally mark the seaport towns, as Akyab, Bassein, Moulmein, and Amherst, where Natives of India and people of mixed Indian blood are mostly to be found.

The Burmans are not prone to executing their decrees through the Courts. If a just claim is not satisfied on the institution of the suit, it is usually paid on the decree being passed.

The Deputy Commissioner of Sandoway writes :

"Natives of India are numerous in Sandoway and are far more pertinacious in following up the decree with execution proceedings than the Burman. A Burman is amongst his own people and has a particular dread of making enemies; this, doubtless, prevents a good deal of harshness in his civil proceedings.

"Natives of India are strangers and have not the same compunction."

12. Processes of execution were issued as follows:—

Division.	Name of district.	Mode of execution. Delivery of possession.	Imprisonment of person.	Movable property. Attached.	Movable property. Sold.	Immovable property. Attached.	Immovable property. Sold.	Orders under section 248, Civil Procedure Code.
Arakan.	Akyab	16	27	198	91	182	64	...
	Akyab Small Cause Court	...	7	17	9	...	..	...
	Kyaukpyu	...	4	74	28	39	16	...
	Sandoway	...	1	6	3	6	1	...
	Northern Arakan	1	...	7	...	...	...	...
	Total ...	17	39	302	131	177	81	...
Pegu.	Hanthawaddy	1	7	89	33	74	32	...
	Pegu	...	43	268	86	185	72	...
	Pegu Small Cause Court	...	...	...	...	...	...	...
	Tharrawaddy	12	26	170	55	118	31	...
	Tharrawaddy Small Cause Court	...	...	...	...	...	...	...
	Prome	...	9	75	32	141	85	...
	Prome Small Cause Courts	...	1	10	3	2	1	...
	Judicial Commissioner	...	...	...	...	...	...	...
	Total ...	13	86	612	209	520	221	...
Irrawaddy.	Henzada	4	19	116	44	91	15	...
	Henzada Small Cause Courts	...	18	61	3	56	27	...
	Bassein	21	34	269	82	126	62	...
	Bassein Small Cause Courts	...	10	46	9	8	4	...
	Thôngwa	1	24	249	74	159	65	...
	Thayetmyo	4	15	60	30	43	21	...
	Thayetmyo Small Cause Court	...	3	5	2	...	...	...
	Total ...	30	123	806	244	483	194	...
Tenasserim.	Amherst	5	19	161	38	100	34	...
	Shwegyin	2	3	60	26	46	23	...
	Shwegyin Small Cause Courts	...	1	13	6	...	...	...
	Toungoo	1	3	76	16	104	42	...
	Toungoo Small Cause Court	...	8	49	9	...	...	...
	Tavoy	7	14	10	2	32	7	...
	Mergui	...	35	15	9	20	7	...
	Salween	...	...	7	7	7	7	...
	Moulmein Judge's Court	...	6	8	4	24	14	...
	Moulmein Small Cause side	...	40	79	42	...	...	..
	Total ...	15	129	478	154	333	134	...
	Grand Total ...	75	377	2,198	738	1,513	630	...
	In 1884 ...	243	487	2,117	603	1,223	479	12

The form of execution by arrest is, I believe, mostly resorted to where the plaintiff or the defendant is a Native of India or a foreigner. Accordingly this form of process is most used in the towns on the coast, as appears from the figures of this table, *e. g.*, Akyab, Bassein, Moulmein, Amherst, Mergui, and Tavoy. The arrests in execution in 1885 are less by 110 than in 1884.

The falling off mainly occurred in the Courts at Akyab. Elsewhere the figures are about the same for both years.

The statistics of the other modes of execution closely approach the figures of 1884, except that the processes against immovable property were slightly more numerous in 1885.

13. In my report for 1884 I described at length the steps which had been taken in the Bassein district for the application of section 328, Code of Civil Pro-

cedure, in view of the protection of the Karens settled in that district. The murder of Mr. St. Barbe, Deputy Commissioner of Bassein, an officer of great ability and promise, has deprived me of the benefit of the opinion of the gentleman at whose suggestion this remedial measure was introduced in Bassein. I have ascertained that but very little direct result can be traced to this measure. During the year no case came before me in appeal or in revision in which I was able to apply the principles to which I referred in paragraph 14 of my report for 1884. Those principles were, however, brought to the notice of District Officers.

I am not aware that the provisions of section 323, Code of Civil Procedure, have been applied with success in any district in the Lower Provinces of Bengal.

Whatever benefit may have resulted in Bassein from this measure is, probably, due in the main to local attention having been brought to this subject.

14. The following table shows the number of persons who applied to be declared insolvent :—

Division.	Name of district.	Number of persons who applied to be declared insolvent.	Number of applications granted.	Number dismissed or rejected.	Total disposed of.	Pending.	Remarks
ARAKAN.	Akyab	25	7	7	21	4	7 struck off.
	Kyaukpyu	3	2	...	3	...	1 withdrawn.
	Sandoway	2	1	1	2	...	
	Northern Arakan	...	...	...	...	...	
	Total ...	30	10	8	26	4	7 struck off and 1 withdrawn.
PEGU.	Hanthawaddy	1	...	1	1	...	
	Pegu	10	3	2	9	1	4 withdrawn.
	Tharrawaddy	10	6	1	10	...	3 withdrawn.
	Prome	3	2	1	3	...	
	Total ...	24	11	5	23	1	7 withdrawn.
IRRAWADDY.	Henzada	14	10	4	14	...	
	Bassein	47	18	26	44	3	
	Thongwa	16	11	4	16	...	1 withdrawn.
	Thayetmyo	6	1	...	3	3	2 withdrawn.
	Total ...	83	40	34	77	6	3 withdrawn
TENASSERIM.	Amherst	4	4	...	4	...	
	Shwegyin...	27	12	7	27	...	8 withdrawn.
	Toungoo	8	6	2	8	...	
	Tavoy	3	...	3	3	...	
	Mergui	18	6	12	18	...	
	Salween	...	...	...	...	...	
	Moulmein	46	21	6	43	3	16 withdrawn.
	Total ..	106	49	30	103	3	24 withdrawn.
	GRAND TOTAL ...	243	110	77	229	14	35 withdrawn and 7 struck off.

APPELLATE JURISDICTION.

15. The following table shows the number of appeals preferred to the Deputy Commissioner from the decrees of the subordinate Courts and the number in which the decrees appealed against were upheld :—

Division.	Name of district	Number of appeals preferred.	Number of decrees confirmed.	Number of decrees modified.	Number of decrees reversed.
ARAKAN.	Akyab	45	32	2	5
	Kyaukpyu	51	29	5	7
	Sandoway	37	17	6	13
	Northern Arakan	...	...	...	...
	Total ...	133	78	13	25
PEGU.	Hanthawaddy	58	34	2	21
	Pegu	72	38	2	11
	Tharrawaddy	140	98	8	26
	Prome	106	19	1	16
	Total ...	376	189	13	74
IRRAWADDY.	Henzada	145	94	12	35
	Bassein	200	129	12	40
	Thôngwa	148	78	15	51
	Thayetmyo	80	42	6	26
	Total ...	573	343	45	152
TENASSERIM.	Amherst	104	58	6	24
	Shwegyin	117	86	13	16
	Toungoo	50	36	8	4
	Tavoy	84	45	13	24
	Mergui	40	21	5	11
	Salween	3	2	...	...
	Total ...	398	248	40	79
	GRAND TOTAL ...	1,480	858	111	330
	In 1884 ...	1,470	842	128	365

16. The following table shows the work of the Appellate Courts :—

Division	Class of Appellate Court and name of presiding Judge	Number of appeals on the files including those pending from last year and received by transfer	Number transferred or dismissed for default	Number confirmed	Number reversed or modified	Number remanded for re decision by Lower Court	Number left pending: For more than four months	Number left pending: Total pending	Average duration of appeals
Arakan.	Lieutenant Colonel H R Spearman, Deputy Commissioner of Akyab	3	..	3	..	.	..	.	21
	Captain W F H Grey, Deputy Commissioner of Akyab.	6	..	4	1	1	..	..	32
	Mr J K Macrae, Deputy Commissioner of Akyab	36	1	25	6	1	..	3	28
	Captain W F H Grey, Deputy Commissioner of Kyaukpyu	33	..	22	9	2	..	..	39
	Mr A R Birks, Deputy Commissioner of Kyaukpyu	18	..	7	3	1	..	7	37
	Major C A Cresswell, Deputy Commissioner of Sandoway	37	..	17	19	1	..	.	25
	Colonel E B Sladen, Commissioner of Arakan .	2	.	..	1	..	..	1	13
	Total ..	135	1	78	39	6	.	11	29
Pegu.	Captain F D Raikes, Deputy Commissioner of Hanthawaddy	7	.	1	6	..	..	..	31
	Captain B A N Parrott, Deputy Commissioner of Hanthawaddy	51	1	33	17	..	.	..	40
	Mr W deCourcy Ireland, Deputy Commissioner of Pegu	44	6	27	8	3	..	..	132
	Colonel G A Strover Deputy Commissioner of Pegu	28	.	11	5	2	..	10	103
	Mr A H Hildebrand Deputy Commissioner of Tharrawaddy	140	5	98	34	1	..	2	26
	Captain G S Eyre, Assistant Commissioner of Paungdè	26	..	2	.	.	20	24	110
	Lieutenant Colonel G Alexander, Deputy Commissioner of Prome	80	1	17	17	..	32	45	42
	Colonel C W Street Commissioner of Pegu ..	8	.	6	..	1	..	1	68
	Total ..	384	13	195	87	7	52	82	52
Irrawaddy	Mr F S Copleston, Mr S H T de la Courneuve, Major C B Cooke, Mr A M B Irwin — Deputy Commissioners of Thôngwa	148	.	78	66	1	..	3	22
	Mr A M B Irwin, Assistant Commissioner of Bassein	9	..	5	3	1	..	..	28
	Mr A S Fleming Assistant Commissioner of Bassein	64	.	35	27	2	.	.	28
	Mr D L M Mackay, Assistant Commissioner of Bassein	2	..	2	.	.	..	..	31
	Mr H L St Barbe, Deputy Commissioner of Bassein	87	..	59	13	..	..	15	24
	Mr T C Mitchell, Deputy Commissioner of Bassein	38	..	28	9	1	..		26
	Mr H G Batten, Assistant Commissioner of Henzada	8	..	4	4	..	..	..	8
	Mr H Buckle Deputy Commissioner of Henzada	15	..	6	8	1	..	..	7
	Mr A M B Irwin, Deputy Commissioner of Henzada	116	..	80	33	3	.	..	31
	Major J Butler, Deputy Commissioner of Henzada	6	..	4	2	..	..	..	33
	Captain F D Raikes, Deputy Commissioner of Thayetmyo	80	..	42	32	3	.	3	7
	Mr G J S Hodgkinson, Commissioner of Irrawaddy	3	.	1	1	..	..	1	27
	Mr G D Burgess Commissioner of Irrawaddy ..	1	..	1	..	..	..	..	10
	Total ..	577	..	345	198	12	..	22	22
Tenasserim	Mr H Buckle, Deputy Commissioner of Amherst	104	..	58	30	14	..	2	19
	Mr G L Weidemann, Deputy Commissioner of Shwegyin	117	..	86	29	..	..	2	15
	Lieutenant-Colonel W G Hughes, Deputy Commissioner of Toungoo	50	..	36	7	2	..	5	25
	Mr C J A Duke Deputy Commissioner of Tavoy	84	..	45	37	..	..	2	13
	Mr K G Burne Deputy Commissioner of Mergui	40	..	21	16	..	..	3	16
	Mr J C Davis, Deputy Commissioner of Salween	1	..	1	..	..	..	..	22
	Mr E H Molloy, Deputy Commissioner of Salween	2	..	1	..	..	1	1	2
	Mr G D Burgess, Commissioner of Tenasserim	1	.	1	.	..	..	..	7
	Total ..	399	..	249	119	16	1	15	17
	Grand Total ..	1 495	14	867	443	41	53	130	28
	In 1884 ..	1,479	15	848	490	27	..	99	27

I have noticed a prevailing tendency to undue interference with findings of Courts of original jurisdiction on the facts. As opportunity offered I have pointed out that the onus is on the appellant, and that the presentation of an appeal is not to be taken as an invitation to try the case *de novo*. I have frequently expressed the opinion that weight ought to be given to the findings of fact by a Court of first instance when the record shows that the Judge has made an intelligent effort to find what the facts really are.

A Native Judge is at a very great advantage in this respect, and I find in Burma, as I have found elsewhere in India, that Native Judges who try to do their duty are often right in their findings, although the reasons which they may give do not always commend themselves to me. Appellate Judges are apt to forget that the findings are more important than the reasons given in support of them.

17. The following table shows the appeals preferred from the decrees of the Deputy Commissioners to Commissioners in original suits :—

Division.	Name of district.	Number of decrees passed by Deputy Commissioners in original cases.	Number of decrees confirmed by Commissioners on appeal.	Number of decrees modified.	Number of decrees reversed.
Arakan.	Akyab	20	...	...	1
	Kyaukpyu	2	...	...	...
	Sandoway	3	...	...	...
	Northern Arakan	63	...	...	...
	Total ...	88	...	...	1
Pegu.	Hanthawaddy	16	5	...	...
	Pegu	1	1	...	..
	Tharrawaddy	...	...	...	...
	Prome	8	...	...	...
	Total ...	25	6	...	...
Irrawaddy.	Henzada	1	...	...	...
	Bassein	26	1	...	1
	Thôngwa	14	1	...	...
	Thayetmyo	...	...	...	...
	Total ...	41	2	...	1
Tenasserim.	Amherst	1	...	...	...
	Shwegyin	2	1	...	...
	Toungoo	...	...	...	...
	Tavoy	...	...	...	...
	Mergui	...	...	...	...
	Salween	1	...	...	...
	Total ...	4	1	...	...
	Grand Total ...	158	9	...	2
	In 1884 ...	52	6	1	1

The original civil work of District Judges continues to be very light. The increase shown in the number of civil suits tried in 1885 by District Courts is chiefly due to my returns now including the figures for the Hills Tracts of Arakan. The small number of appeals preferred from these decrees and the results of such appeals as were preferred show that the District Courts' decisions were generally satisfactory.

18. The following table shows the financial result of the rules framed under section 20 of the Court-fees Act regulating the fees chargeable for serving processes and remuneration of peons of the Civil Courts :—

Division.	Name of district.	Number of processes issued.	Receipts from process fees.	Charges, including salaries of process-servers, contingencies, &c.
			Rs. A. P.	Rs. A. P.
Arakan.	Akyab	6,474	7,564 8 0	7,879 14 0
	Kyaukpyu	2,692	2,846 0 0	2,278 11 0
	Sandoway	1,195	1,001 0 0	1,170 14 0
	Northern Arakan	...	...	...
	Total ...	10,361	10,911 8 0	11,338 7 0
Pegu.	Hanthawaddy	3,332	3,187 8 0	3,660 6 9
	Pegu	8,651	5,450 0 0	3,090 15 5
	Tharrawaddy	8,408	7,194 8 0	5,221 7 9
	Prome	8,182	7,015 9 0	6,168 4 8
	Total ...	28,573	22,847 9 0	18,141 2 7
Irrawaddy.	Henzada	9,368	8,625 8 0	4,968 0 0
	Bassein	13,298	11,451 0 0	8,466 0 0
	Thôngwa	11,067	10,809 8 0	5,069 3 0
	Thayetmyo	5,139	4,486 13 0	2,579 0 0
	Total ...	38,872	35,372 13 0	21,082 3 0
Tenasserim.	Amherst	6,885	6,948 12 0	4,501 14 0
	Shwegyin	6,361	5,694 4 0	3,173 8 6
	Toungoo	4,740	4,682 0 0	2,996 8 0
	Tavoy	2,439	1,936 0 0	1,908 0 0
	Mergui	2,148	1,805 13 0	897 12 0
	Salween	214	167 10 0	145 0 0
	Moulmein	7,968	8,290 10 0	4,100 8 0
	Total ...	30,755	29,520 1 0	17,723 2 6
	Grand Total ...	108,561	98,651 15 0	68,284 15 1
	In 1884 ...	109,042	99,192 9 0	72,550 14 6

19. The following table shows the number of regular appeals decided in the Court of the Judicial Commissioner:—

Division.	Name of Commissioner or Deputy Commissioner from whose decision appeal was made.	Appeals admitted.	Decision reversed.	Decision modified.	Decision confirmed.	Dismissed for default.	Remanded.	Total disposed of.	Pending.
Arakan.	Lieutenant-Colonel H. R. Spearman, Deputy Commissioner of Akyab.	2	2	...	...	...	...	2	...
	Mr. J. K. Macrae, Deputy Commissioner of Akyab ...	2	...	...	...	...	...	..	2
	Captain W F H. Grey, Deputy Commissioner of Kyaukpyu	2	...	...	2	...	...	2	...
	Mr A. R Burks, Deputy Commissioner of Kyaukpyu	1	...	...	...	...	...	...	1
	Major C. A. Cresswell, Deputy Commissioner of Sandoway.	2	...	...	1	...	...	1	1
	Colonel E. B. Sladen, Commissioner of Arakan ...	1	1	...	...	...	...	1	...
	Total ...	10	3	...	3	...	...	6	4
Pegu	Captain F. D. Raikes, Deputy Commissioner of Hanthawaddy.	2	...	1	1	...	...	2	...
	Captain B. A. N. Parrott, Deputy Commissioner of Hanthawaddy.	3	1	...	...	...	...	1	2
	Mr W. deCourcy Ireland, Deputy Commissioner of Pegu	7	2	...	1	...	...	3	4
	Mr A H Hildebrand, Deputy Commissioner of Tharrawaddy	16	3	1	6	...	...	10	6
	Lieutenant-Colonel G. Alexander, Deputy Commissioner of Prome.	17	10	.	6	...	...	16	1
	Colonel C. W. Street, Commissioner of Pegu ...	2	1	...	...	...	...	1	1
	Total ...	47	17	2	14	...	...	33	14
Irrawaddy.	Major J Butler, Deputy Commissioner of Henzada ..	5	1	..	3	1	...	5	...
	Mr. H. Buckle, Deputy Commissioner of Henzada ...	1	...	...	1	...	...	1	...
	Mr. A. M B. Irwin, Deputy Commissioner of Henzada	7	1	...	4	.	...	5	2
	Mr. H. L. St. Barbe, Deputy Commissioner of Bassein.	9	2	...	4	...	...	6	3
	Mr. T O. Mitchell, Deputy Commissioner of Bassein	2	...	...	...	...	...	...	2
	Mr. A. M. B. Irwin, Assistant Commissioner of Bassein.	1	1	...	...	...	...	1	...
	Mr. F. S. Copleston, Deputy Commissioner of Thôngwa.	12	2	...	9	...	1	12	...
	Mr S. H T. de la Courneuve, Deputy Commissioner of Thôngwa	1	...	...	...	...	...	...	1
	Major C. B. Cooke, Deputy Commissioner of Thôngwa	7	1	...	2	1	...	4	3
	Mr R. H. Pilcher, Deputy Commissioner of Thayetmyo.	5	...	...	4	1	...	5	...
	Captain F. D. Raikes, Deputy Commissioner of Thayetmyo.	5	1	...	1	...	...	2	3
	Mr. G. J. S. Hodgkinson, Commissioner of Irrawaddy	1	...	...	1	...	...	1	...
	Total ...	56	9	...	29	3	1	42	14
Tenasserim.	Colonel W. W. Pemberton, Deputy Commissioner of Amherst.	1	...	...	1	...	...	1	...
	Lieutenant-Colonel M. Furlong, Deputy Commissioner of Amherst.	1	...	...	1	...	...	1	...
	Mr. H. Buckle, Deputy Commissioner of Amherst	1	...	...	...	...	...	...	1
	Mr. G. L. Weidemann, Deputy Commissioner of Shwegyin.	14	6	...	5	...	...	11	3
	Lieutenant Colonel W. G. Hughes, Deputy Commissioner of Toungoo.	11	1	...	6	1	...	8	3
	Mr. C. J. A Duke, Deputy Commissioner of Tavoy ...	11	1	1	4	...	1	7	4
	Mr. J. K. Macrae, Deputy Commissioner of Mergui...	2	1	...	1	...	...	2	...
	Total ...	41	9	1	18	1	1	30	11
	Grand Total ...	154	38	3	64	4	2	111	43
	In 1884 ...	139	32	2	67	7	3	113	26

20. The following table shows the miscellaneous appeals, *i. e.*, from decisions other than those passed in regular suits disposed of in the Court of the Judicial Commissioner:—

Division.	Name of Commissioner or Deputy Commissioner from whose decision appeal was made.	Decision reversed.	Decision modified.	Decision confirmed.	Remanded.	Total disposed of.	Pending.
Arakan.	Mr. J. K. Macrae, Deputy Commissioner of Akyab...	...	...	1	...	1	...
	Total ...	...	...	1	...	1	...
Pegu.	Mr. W. deCourcy Ireland, Deputy Commissioner of Pegu.	...	...	1	...	1	1
	Mr. A. H. Hildebrand, Deputy Commissioner of Tharrawaddy.	1	...	1	...	2	...
	Lieutenant-Colonel G. Alexander, Deputy Commissioner of Prome.	1	...	2	...	3	...
	Mr. W. F. Meres, Officiating Judicial Commissioner	...	1	3	...	4	...
	Total ...	2	1	7	...	10	1
Irrawaddy.	Major J. Butler, Deputy Commissioner of Henzada	...	...	1	...	1	...
	Mr. H. Buckle, Deputy Commissioner of Henzada	...	...	1	...	1	...
	Mr. T. C. Mitchell, Deputy Commissioner of Bassein.	...	...	...	...	...	1
	Mr. F. S. Copleston, Deputy Commissioner of Thôngwa	1	...	...	...	1	...
	Mr. S. H. T. de la Courneuve, Deputy Commissioner of Thôngwa.	1	...	...	...	1	...
	Captain F. D. Raikes, Deputy Commissioner of Thayetmyo.	...	...	1	...	1	...
	Total ...	2	...	3	...	5	1
Tenasserim.	Lieutenant-Colonel M. Furlong, Deputy Commissioner of Amherst.	...	...	1	...	1	...
	Lieutenant-Colonel W. G. Hughes, Deputy Commissioner of Tungoo.	1	..	...	...	1	...
	Mr. C. J. A. Duke, Deputy Commissioner of Tavoy	...	...	1	...	1	...
	Total ...	1	...	2	...	3	...
	Grand Total ...	5	1	13	...	19	2
	In 1884 ...	1	...	6	...	7	2

21. The number and result of references to the Court of the Judicial Commissioner is shown in the following table:—

Division.	In accordance with paragraph 8 of Government of India Notification No. 884, dated 12th August 1868.	Under section 617, Act X of 1877.	Under section 295, Act X of 1877.	Under section 25, Act XVII of 1875.	Under section 29, Act XVII of 1875.	Under section 26, Act XVII of 1875.	Under section 22, Act XI of 1865.	Total.	Court making the reference.	Rulings adverse to the opinion of referring Court.	Rulings in concurrence with the opinion of referring Court.	Heard as appeals under section 64, Act XVII of 1875.	Total disposed of.	Pending.
Arakan ...	...	1	...	...	...	...	...	1	Extra Assistant Commissioner of Akyab ...	...	...	...	...	1
	...	1	...	...	...	...	...	1	Deputy Commissioner of Kyaukpyu ...	1	...	...	1	...
Total ...	...	2	...	...	...	...	...	2	Total ...	1	...	...	1	1
Pegu ...	...	1	...	...	...	...	...	1	Deputy Commissioner of Hanthawaddy ...	...	1	...	1	...
	...	...	...	1	...	...	...	1	Deputy Commissioner of Prome	...	1	...	1	...
Total ...	...	1	...	1	...	...	...	2	Total ...	...	2	...	2	...
Irrawaddy ...	...	1	...	...	...	...	...	1	Deputy Commissioner of Henzada	1	...	...	1	...
	...	...	...	1	...	...	...	1	Deputy Commissioner of Thayetmyo ...	1	...	...	1	...
Total ...	...	1	...	1	...	...	...	2	Total ...	2	...	...	2	...
Tenasserim ...	...	...	...	1	...	...	...	1	Deputy Commissioner of Tavoy	...	...	...	...	1
Total ...	...	...	...	1	...	...	...	1	Total ...	...	...	...	...	1
GRAND TOTAL ...	...	4	...	3	...	...	...	7	GRAND TOTAL ...	3	2	...	5	2
In 1884 ...	...	5	...	7	...	...	...	12	In 1884 ...	2	8	1	11	1

22. The following table shows the work of the Judicial Commissioner as a Court of revision :—

Division.	Name of Commissioner, Deputy Commissioner, Assistant Commissioner, or Extra Assistant Commissioner from whose decision revision was made.	Revision admitted.	Decision reversed.	Decision modified.	Decision confirmed.	Dismissed for default.	Remanded.	Total disposed of.	Pending.
ARAKAN.	Mr. J. K. Macrae, Deputy Commissioner of Akyab.	1	...	...	1	...	...	1	...
	Total ...	1	...	...	1	...	...	1	...
PEGU.	Captain B. A. N. Parrott, Deputy Commissioner of Hanthawaddy.	2	...	...	2	...	...	2	...
	Maung Ta Po, Myoôk of Tanmanaing ...	1	...	...	1	...	...	1	...
	Maung Tha Dun, Myoôk of Hmawbi ...	1	...	...	1	...	...	1	...
	Mr. W. deCourcy Ireland, Deputy Commissioner of Pegu.	4	...	...	4	...	...	4	...
	Mr. J. E. Moultrie, Extra Assistant Commissioner of Kyauktan.	1	...	...	1	...	...	1	...
	Mr. A. H. Hildebrand, Deputy Commissioner of Tharrawaddy.	1	...	...	1	...	...	1	...
	Colonel C. W. Street, Commissioner of Pegu.	1	...	...	1	...	...	1	...
	Total ...	11	...	...	11	...	...	11	...
IRRAWADDY.	Maung Pu, Myoôk of Henzada ...	4	...	...	2	...	...	2	
	Mr. H. L. St. Barbe, Deputy Commissioner of Bassein.	1	...	...	1	...	...	1	...
	Maung An, Myoôk of Bassein ...	1	...	...	1	...	...	1	...
	Mr. F. S. Copleston, Deputy Commissioner of Thôngwa.	1	...	...	1	..	...	1	...
	Major C. B. Cooke, Deputy Commissioner of Thôngwa.	4	...	...	3	...	...	3	1
	Mr. R. H. Pilcher, Deputy Commissioner of Thayetmyo.	2	...	...	1	1	...	2	..
	Captain F. D. Raikes, Deputy Commissioner of Thayetmyo.	2	1	...	1	...	...	2	...
	Mr. G. D. Burgess, Commissioner of Irrawaddy.	1	...	...	1	...	...	1	...
	Total ...	16	1	...	11	1	...	13	3
TENASSERIM.	Mr. G. L. Weidemann, Deputy Commissioner of Shwegyin.	2	...	...	1	...	...	1	1
	Lieutenant-Colonel W. G. Hughes, Deputy Commissioner of Toungoo.	1	...	...	1	...	...	1	...
	Mr. C. J. A. Duke, Deputy Commissioner of Tavoy.	2	...	...	2	...	...	2	...
	Total ...	5	...	...	4	...	...	4	1
	GRAND TOTAL ...	33	1	...	27	1	...	29	4
	In 1884 ...	34	3	...	29	...	1	33	1

23. *Costs of litigation.*—During the last four years the ratios of costs to values of suits have been as follows :—

		Original.		Appeal.		Execution.
1882	...	14·58	...	20·31	...	1·79
1883	...	15·38	...	17·50	...	3·49
1884	...	15·67	...	20·31	...	2·53
1885	...	14·10	...	19·22	...	1·97

The bulk of the civil litigation of the province outside Rangoon is of a very petty character, nearly 60 per cent. of the suits being valued at less than Rs. 50. It is in this class of suits that the costs are relatively high. Many of the districts are sparsely inhabited and wages are high. Hence heavy costs in getting in

witnesses. Something has been done in the reduction of costs by the revision of the scale of process fees under the sanction in the Government of India's letter No. 912 (Judicial), dated Simla, the 30th June 1886.

24. The following tables show the existing and the reduced rates.

(1).—PRESENT RATES.

The fees exhibited in the following table shall be charged for serving and executing processes in the several Civil Courts :—

Description of process.	Fees chargeable in the Court of the Judicial Commissioner and Commissioner.	Fees chargeable in the Court of the Judge of the Town of Moulmein and Deputy Commissioners.	Fees chargeable in the Small Cause Courts and Courts of the Assistant Commissioners and Extra Assistant Commissioners.
	RS. A. A.	RS. A. P.	RS. A. P.
Summons on witness	2 0 0	1 0 0	0 8 0
Summons on defendants, rule, notice, proclamation, injunction, or other order not elsewhere specified.	3 0 0	2 0 0	1 0 0
Warrant for arrest of persons or attachment of property ...	4 0 0	3 0 0	2 0 0

An extra charge to be paid in advance, and calculated at the rate of eight annas per diem, will be made where it is necessary to appoint a person for the safe custody of property attached.

No charge, other than the authorized fee, shall on any account be made on the person taking out process.

(2).—REDUCED RATES.

The fees exhibited in the following table shall be charged for serving and executing processes in the several Civil Courts, with effect from the 1st October 1886 :—

Description of process.	Fees chargeable in the Court of the Judicial Commissioner and Commissioner.	Fees chargeable in the Court of the Judge of the Town of Moulmein and Deputy Commissioners.	Fees chargeable in Small Cause Courts and Courts of Assistant Commissioners, Extra Assistant Commissioners, and Myoks.
Article (a)—	RS. A. P.	RS. A. P.	RS. A. P.
Clause 1.—Summons to defendants, notice of appeal, or other notice to respondents ... ... For each person	3 0 0	2 0 0	...
Clause 2.—In suits where the subject-matter of the suit exceeds Rs. 100, or cannot be estimated in money, summons to defendants ... ... For each person	...	...	1 0 0
Clause 3.—In suits where the subject-matter of the suit does not exceed Rs. 100, summons to defendants...For each person	...	...	0 8 0
Note.—In suits classed in clause 3 of this article, where the co-defendants are husband and wife, summons on the two defendants shall issue for one fee.			
Article (b).—Summons to witness	2 0 0	1 0 0	0 8 0

Description of process.	Fees chargeable in the Court of the Judicial Commissioner and Commissioner.			Fees chargeable in the Court of the Judge of the Town of Moulmein and Deputy Commissioners.			Fees chargeable in the Small Cause Courts and Courts of Assistant Commissioners, Extra Assistant Commissioners, and Myoôks.		
	Rs	A.	P	Rs	A.	P	Rs.	A.	P.
Article (c).—Every process of attachment of property by actual seizure—									
(i) in respect of the warrant of attachment	4	0	0	8	0	0	1	0	0
(ii) in respect of each officer necessary to ensure safe custody when such officer is to be left actually in possession .. ... Per diem	0	8	0	0	8	0	0	8	0
Note.—This daily fee is to be paid at the time of obtaining the process for so many days as the Court shall order, not being ordinarily less than 15 days. But when the officer is not to be left in possession, then the daily fee is not to be paid When the inventory filed by the judgment-creditor shows the property to be of such small value that the expense of keeping it in custody may probably exceed its value, the Court shall fix the fee with reference to the provisions of section 269 of the Civil Procedure Code.									
Article (d).—Every process in execution of a decree by arrest of the person	4	0	0	8	0	0	2	0	0
Article (e).—Every rule, proclamation, injunction, or other order not specified above	8	0	0	2	0	0	0	8	0
Note.—Notwithstanding Rule 1, no fee shall be chargeable for serving and executing any process, such as a notice, rule, summons, or warrant of arrest, which may be issued by any Court of its own motion solely for the purpose of taking cognizance of, and punishing any act done or words spoken, in contempt of its authority.									
No fee shall be charged for the fixing of a citation under section 250 of Act X of 1865, or under section 8 of Act XXVII of 1860, or under section 69 of Act V of 1881, in the court-house of the Court by which the citation is ordered to issue									

The new rates will be introduced in October next. They will afford considerable relief to suitors. I have under consideration proposals for the reduction of the minimum of Advocates' fees and of the rates charged for copying.

25. The following districts were visited by me during the year,—Moulmein, Amherst, Thôngwa, Promo, Thayetmyo, Tharrawaddy, and Pegu. These visits afforded me the opportunity of examining, in the district-record rooms, a large number of the suits disposed of by junior Native officers in outlying townships as well as the work of the superior district officials. Full notes were made of all the errors discovered and where these errors appeared common the notes were translated and circulated, the names of officers concerned being suppressed. Where opportunity offered I went through decided cases along with the officers concerned, discussing with them such matters of procedure or law as the files examined suggested. Some progress has been made by me in the preparation of a small manual for the trial of civil suits. Rules have been drawn up for the sorting and destruction of civil records and are under the consideration of the Government of India.

26. *Advocates.*—The total number of Advocates in the Courts subordinate to the Judicial Commissioner and in this Court is 499.

Of these 42 are Advocates of the *first grade*, but as seven of them have left the country, there are only 35 Advocates of the *first grade* in actual practice in the province. Fifteen of them are Barristers-at-Law.

Of Advocates of the *second grade* there are 126, but out of this number one has given up practice.

Of Advocates of the *third grade* there are 331.

An examination of Advocates was held by the Educational Syndicate on the 4th May 1885 and the five following days.

There were 14 candidates for examination, of whom one passed in the first grade and four in the second.

Since the close of the year the Recorder, for whose Court there were no rules regarding the examination and admission of Advocates, has drawn up rules on this subject. My own rules have been revised and are now in accord with those of the Recorder. The examinations are conducted by the Educational Syndicate, Lower Burma.

27. I have the satisfaction of recording the names of the following officers who have done good work in inspection during the year:—

Mr. Burgess.	Mr. Birks.
Mr. Hildebrand.	Mr. Irwin.
Captain Parrott.	Mr. Buckle.
Captain Cresswell.	Mr. Burne.

They have furnished me with notes of the examination of each Court inspected, and as these notes are communicated to the officers concerned, there is reason to hope that the local record of errors will prevent their repetition.

I attach great importance to this duty. It is in the cases of the poorest litigants, who do not appeal, that bad work is sometimes found. A Court of appeal has very little opportunity of seeing how routine business is conducted in a subordinate office. It is only by personal visits and by examination of work in progress that a District Officer can fairly gauge the ability of his subordinates in dealing with the business before them. An important part of inspection work has not been as fully discharged as I had hoped. I refer to the attendance of the inspecting officer during the trial of a suit to satisfy himself as to the demeanour of the Judge on the Bench, and the Judge's method of dealing with witnesses and Advocates, and of recording evidence. I expect that more attention will in future be given to this duty.

28. Mr. W. E. Ward was in charge of the office up to February. I was in charge from the 16th February to the end of the year.

W. F. MERES,
Offg. Judicial Commissioner.

APPENDICES.

JUDICIAL STATEMENT No. 1 (CIVIL).

Statement showing the Number of Judicial Divisions and the Number of Officers exercising Appellate or Original Jurisdiction in Lower Burma, on the last day of the year 1885, with the Cost of Tribunals.

Name of Province			Area.	Population	Number of divisions for Courts under Chief Court, but superior to Chief Courts of districts.	Number of districts	Number of sub-districts	Total number of officers exercising original or appellate jurisdiction: Judges of Chief Court of province	Judges of other Courts superior to Chief Courts	Judges of Chief Courts of districts	Judges of District-Courts other than Chief Courts	Judges of other subordinate Courts	Total number of cases decided: Original: Regular	Original: Miscellaneous	Appeals: Regular	Appeals: Miscellaneous	Total receipts of the Courts	Total charges of the Courts
1			2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
			Square miles.														Rs A. P	Rs. A. P
LOWER BURMA	Territory subject to the High Court.	Civil	85,205	3,722,272	4	19	36	3	4	18	24	99	33,841	4,521	1,511*	114	5,41,806 6 11	5,68,567 12 10
		Criminal	..	..	.	..	..	.	.	..	...	..	.	...	..	...	... ..	.. .
		Revenue	.	.	...	...	..	...	...	...	...	...	...	...	...	..	... ..	... ..
	Territory not subject to the High Court	Civil	1 015	14,499	..	1	...	...	...	1	...	...	97	3	...	...	... ..	2,360 15 4
		Criminal	...	.	...	...	..	...	..	..	...	..	..	...	..	...	. ....	. ....
		Revenue		.	.		..		...				...	..	.	...	.....	.
Total			87,220	3,736 771	4	20	36	3	4	19	24	99	33,938	4,524	1,511*	114	5,41,806 6 11	5,70,938 12 2

Remarks. Grades of Judicial Officers.		European	Native
Officers exercising both original and appellate jurisdiction	Judicial Commissioner	1	...
	Recorder of Rangoon ...	1	...
	Additional Recorder ...	1	..
	Commissioners ...	4	...
	Deputy Commissioners	10	..
	Assistant Commissioners with appellate powers	2	...
Officers exercising original jurisdiction only	Small Cause Court Judges.	2	2
	Assistant Commissioners	13	1
	Extra Assistant Commissioners	5	17
	Myoôks	2	79
	Unpaid Judges ...	–	1

* Includes 29 revisions.

JUDICIAL STATEMENT No. 7 (CIVIL).

Statement showing the Number and Description of Suits Instituted in the Civil and Revenue Courts in Lower Burma in the year 1885.

Class of Tribunal.	Suits for money or moveable property.										Suits under the Rent Law.								Title and other suits.																		
	Contract in writing.	Contract not in writing.	On account stated.	Money lent and received.	Goods sold.	Wages, work and materials.	Breach of contract not mentioned above.	Rent not falling under the Rent Law.	Moveable property or value thereof.	Damages.	Arrears of rent with or without ejectment or cancelment of lease.	Enhancement or abatement of rent.	Relating to distraint.	Damages for extortion or withholding receipts, or on account of illegal restraint or other cause.	For pottahs or kabuliyats.	For ejectment or recovery of possession.	For recovery of money or accounts from agents.	All other suits under the Rent Law not included above.	Suits for immoveable property.	Suits for declaratory decrees.	Other suits under the Specific Relief Act.	Suits to declare and establish rights to real property, including pre-emption, foreclosure, &c.	Suits to declare and establish personal rights.	Suits for an account.	Suits relating to religious endowments.	Suits to set aside judgments, contracts, or obligations on the ground of fraud.	Suits for dissolution of marriage.	Suits for enforcement of matrimonial rights.	Suits for partition.	Suits relating to shipping.	Suits relating to religion and caste.	Administration suits.	Interpleader suits.	Dissolution of partnership.	Suits under Section 261, Act X of 1865) also Hindu Wills Act).	Other suits not falling under any of the previous heads.	Grand total.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38
COURTS IN THE INTERIOR.																																					
I.—Civil Courts.																																					
Unpaid Tribunals	13	37	3	6	49	29	12	...	42	6	...	...	...	...	...	...	...	...	3	...	...	...	...	...	...	2	3	2	...	...	...	...	...	...	...	207
Village Courts	4,275	3,590	187	1,083	2,608	1,079	461	435	2,507	1,965	...	...	...	...	...	...	...	...	976	26	29	61	16	9	2	25	396	136	71	...	7	2	1	10	...	78	20,035
Paid Subdivisional Tribunals ...	364	196	30	22	393	59	6	36	87	85	...	...	...	...	...	...	...	...	53	2	1	13	2	7	...	5	39	4	12	...	...	1	...	...	...	80	1,437
Small Cause Courts	2,931	737	144	334	1,145	480	14	139	355	228	...	...	...	...	...	...	...	...	16	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	2	5,945
District Courts other than Chief Courts of districts.	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Chief Courts of districts ...	92	5	1	45	21	5	4	...	8	4	...	...	...	...	...	...	...	...	14	2	9	36	...	6	...	2	4	19	...	...	1	30	...	6	...	23	337
Total ...	7,095	4,565	365	1,490	4,156	1,652	497	610	2,999	2,288	...	...	...	...	...	...	...	...	1,062	30	39	110	18	22	2	34	442	161	83	...	8	33	1	16	...	183	27,961
II.—Revenue Courts.																																					
Unpaid Local Tribunals ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Other Subordinate Courts ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Collector's Courts	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Total ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Courts at the Presidency or Seat of Government.																																					
Presidency Small Cause Courts...	2,724	875	27	209	818	439	...	575	69	16	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	5,752
Superior Courts	90	1	4	6	7	2	...	3	4	9	...	...	...	...	...	...	...	...	60	9	3	4	1	4	...	...	10	8	...	...	1	1	1	2	...	24	254
Total ...	2,814	876	31	215	825	441	...	578	73	25	...	...	...	...	...	...	...	...	60	9	3	4	1	4	...	...	10	8	...	...	1	1	1	2	...	24	6,006
GRAND TOTAL ...	9,909	5,441	396	1,705	4,981	2,093	497	1,188	3,072	2,313	...	...	...	...	...	...	...	...	1,122	39	42	114	19	26	2	34	452	169	83	...	9	34	2	18	...	207	33,967

JUDICIAL STATEMENT No. 8 (CIVIL).

Statement showing the Number and Value of Suits Instituted in the Civil and Revenue Courts in Lower Burma in the year 1885.

Class of Tribunal.	Number of Suits instituted in the different Courts.									Total value of suits.	Remarks.
	Not exceeding Rs 10	Not exceeding Rs 50	Not exceeding Rs 100	Not exceeding Rs. 500.	Not exceeding Rs. 1,000	Not exceeding Rs. 5,000	Not exceeding Rs 10,000.	Exceeding Rs. 10,000.	Number of suits the value of which cannot be estimated in money.		
1	2	3	4	5	6	7	8	9	10	11	12
COURTS IN THE INTERIOR.										Rs. A. P.	
I.—Civil Courts											
Unpaid Tribunals	21	67	96	21	126	52	...	...	2	7,971 2 0	
Village Courts	3,139	6,924	4,481	3,497	158	61	...	...	516	14,43,207 11 6	
Paid Subdivisional Tribunals	280	513	196	181	61	...	...	...	28	4,14,712 7 5	
Small Cause Courts	1,138	3,068	945	713	...	...	...	...	...	3,41,219 6 4	
District Courts other than Chief Courts of Districts	...	...	...	...	...	...	...	...	...		
Chief Courts of Districts	27	49	15	48	36	106	33	14	9	10,09,068 6 11	
Total ..	4,605	11,941	5,733	4,460	381	239	33	14	555	32,16,239 2 2	
II.—Revenue Courts.											
Unpaid Local Tribunals	...	...	...	...	...	...	...	...	...	.....	
Other Subordinate Courts	...	...	...	...	...	...	...	...	...	.....	
Collectors' Courts	...	...	...	...	...	...	...	...	...	.....	
Ttal ..	...	...						...	...	.....	
Courts at the Presidency or Seat of Government											
Presidency Small Cause Courts ...	696	2,480	970	1,392	214		...		...	6,26,236 11 5	
Superior Courts ...	1	..	1	19	17	147	22	18	29	9,83,023 4 0	
Total ...	697	2,480	971	1,411	231	147	22	18	29	16,09,259 15 5	
GRAND TOTAL ..	5,302	14,421	6,704	5,871	612	386	55	32	584	48,25,499 1 7	

JUDICIAL STATEMENT No. 9 (CIVIL).

Statement showing the General Result of the Trial of Civil and Revenue Cases in the Courts of Original Jurisdiction in Lower Burma, in the year 1885.

PART I.—Civil Suits.

Class of Tribunal	Total number of suits before the Courts	Number of suits disposed of.										Pending at the close of the year	Number of cases pending more than three months at the close of the year	Average duration of cases.		Remarks.
		Transferred to Courts in other provinces	Without trial	*Without contest.*				*On reference to arbitration.*		*With contest*						
				Compromised.	Decreed on confession	Decreed *ex-parte*	Dismissed *ex-parte*	For plaintiff	For defendant	Judgment for plaintiff in whole or in part	Judgment for defendant			Contested	Uncontested	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
COURTS IN THE INTERIOR.																
I.—Civil Courts																
Unpaid Tribunals	208	...	42	6	54	19	1	...	...	60	15	2	...	29	9	
Village Courts	20,735	..	4,750	1,397	3,170	2,354	311	35	9	5,590	2,636	501	60	25	14	
Paid Subdivisional Tribunals	1,513	...	306	96	223	193	3	9	4	366	194	97	7	23	13	
Small Cause Courts	6,098	..	1,161	321	986	1,540	17	8	1	1,284	589	241	7	17	13	
District Courts other than Chief Courts of Districts ...	..	.	...	..	...	...	...	...	...	.	...	..	...	...	...	
Chief Courts of Districts	370*	...	34	20	52	33	...	4	1	126	60	36	11	47	13	
Total ..	28,943	.	6,293	1,840	4,684	4,139	332	55	15	7,469	3,436	879	85	24	14	
II.—Revenue Courts.																
Unpaid Local Tribunals	...	...	...	...	...	...	...	...	...	.	...	...	...	...	...	
Other Subordinate Courts	...	.	...	..	...	...	...	...	...	...	...	...	...	...	..	
Collectors Courts		...	...	..	..	...	...	...	..	...	...	...	...	...		
Total ...	...	..	...	...			..	...	...	...	...	...	...	...		
Courts at the Presidency or Seat of Government.																
Presidency Small Causes Court	6,211		1,002	383	647	2,257	73	.	...	876	375	588	135	51	27	
Superior Courts	379	...	37	17	15	71	3	...		79	29	128	76	120	86	
Total ...	6,590		1,039	400	662	2,328	76	...	...	955	404	716	211	69	29	
GRAND TOTAL ...	35,533	.	7,332	2,240	5,146	6,477	408	55	15	8,424	3,840	1,595	296	26	17	

* Includes one suit disposed of by the Commissioner of Irrawaddy

JUDICIAL STATEMENT No. 9 (CIVIL).

Statement showing the General Result of the Trial of Civil and Revenue Cases in the Courts of Original Jurisdiction in Lower Burma, in the year 1885.

PART II.—Miscellaneous Cases (Judicial).

Class of Court.	Total number of cases before the Courts.	Number of suits disposed of.										Pending at the close of the year.	Number of cases pending more than three months at the close of the year.	Average duration of cases contested and uncontested.	Remarks.
		Transferred to Courts in other provinces.	Without trial.	Without contest.				On reference to arbitration.		With contest.					
				Compromised.	Decreed on confession.	Decreed *ex-parte*.	Dismissed *ex-parte*.	For plaintiff.	For defendant.	Judgment for plaintiff in whole or in part.	Judgment for defendant.				
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
COURTS IN THE INTERIOR.															
I.—Civil Courts.															
Unpaid Tribunals	21	...	6	1	...	...	...	...	...	13	1	...	...	15·	
Village Courts	2,690	...	576	130	127	316	74	14	...	951	422	70	...	14·	
Paid Subdivisional Tribunals	339	...	70	10	58	31	2	...	...	102	47	19	...	9·	
Small Cause Courts	348	...	52	3	10	80	24	...	...	154	21	4	...	5·	
District Courts other than Chief Courts of Districts ...	...	...	...	...	...	...	...	...	...	...	...	...	...	.....	
Chief Courts of Districts	629	...	130	4	11	145	18	...	...	206	75	40	...	19·	
Total ...	4,027	...	834	148	206	572	118	14	...	1,436	566	133	...	13·	
II—Revenue Courts.															
Unpaid local Tribunals	...	...	...	...	...	...	...	...	...	...	...	...	...	.....	
Other Subordinate Courts	...	...	...	...	...	...	...	...	...	...	...	...	...	.....	
Collectors' Courts	...	...	...	...	...	...	...	...	...	...	...	...	...	.....	
Total ...	...	...	...	...	...	...	...	...	...	...	...	...	...	.....	
Courts at the Presidency or Seat of Government.															
Presidency Small Cause Courts	347	...	72	9	...	23	13	...	...	127	71	32	8	20·	
Superior Courts	327	...	63	2	3	55	22	...	...	148	22	12	4	10·	
Total ...	674	...	135	11	3	78	35	...	...	275	93	44	12	20·	
GRAND TOTAL ...	4,701	...	969	159	209	650	153	14	...	1,711	659	177	12	14·	

JUDICIAL STATEMENT No. 10 (CIVIL).

Statement showing the Business of the Civil and Revenue Appellate Courts of Lower Burma, in the year 1885.

PART I.—Appeals from Decrees.

Class of Tribunal	Total number of appeals before the Courts	Transferred to Courts in other provinces	Appeals summarily rejected	Dismissed for default or otherwise not prosecuted	Heard ex-parte.				Contested.				Pending	Of those pending more than three months	Average duration of appeals	Objections under section 561, Act XIV of 1882.	Remarks.
					Confirmed	Modified.	Reversed	Remanded	Confirmed	Modified	Reversed	Remanded					
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
COURTS IN THE INTERIOR.																	
APPEALS FROM ORIGINAL DECREES																	
A.—Civil Courts																	
Chief Appellate Courts other than Chief Courts of Districts	109	..	...	...		...	...	...	48	10	24	3	24	20	25	...	
Chief Appellate Courts of Districts	1,371	...	2	14	18	1	8	...	790	100	298	37	103	37	29	5	
Superior Appellate Courts other than Chief Court of Province	15	...	5	...	1	...	...	...	3	...	2	1	3	...	47	...	
Total	1,495	...	7	14	19	1	8	...	841	110	324	41	130	57	25	5	
B.—Revenue Courts.																	
Collectors' Appellate Courts	...	...	...	...	...	..	...	...	...	...	...	...	...	...	...	...	
Courts at the Presidency or Seat of Government																	
Chief Court of Province — Appeal from original decrees	9	...	...	1	...	...	...	...	3	1	2	...	2	1	203	...	
Chief Court of Province — Appeals from appellate decrees	153	...	14	4	5	...	5	...	44	3	33	2	43	18	94	8	
Chief Court of Province — Civil revisions	33	...	25	1	...	...	1	...	2	...	...	...	4	1	14	.	
Total	195	...	39	6	5	...	6	...	49	4	35	2	49	20	84	8	
GRAND TOTAL	1,690	...	46	20	24	1	14	...	890	114	359	43	179	77	33	13	

JUDICIAL STATEMENT No. 10 (CIVIL).

Statement showing the Business of the Civil and Revenue Appellate Courts of Lower Burma, in the year 1885.

PART II.—Miscellaneous Appeals (Judicial).

Class of Tribunal.	Total number of appeals before the Courts.	Transferred to Courts in other provinces.	Appeals summarily rejected.	Dismissed for default or otherwise not prosecuted.	Heard ex-parte.				Contested.				Pending.	Of those pending more than three months.	Average duration of appeals.	Objections under section 561, Act XIV of 1882.	Remarks.
					Confirmed.	Modified.	Reversed.	Remanded.	Confirmed.	Modified.	Reversed.	Remanded.					
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
COURTS IN THE INTERIOR.																	
APPEALS FROM ORIGINAL DECREES.																	
A.—Civil Courts.																	
Chief Appellate Courts other than Chief Courts of districts ...	...	...	...	...	...	..	...	...	.	...	...	...	...	...	...	...	
Chief Appellate Courts of districts	90	...	2	4	17	1	20	1	21	2	15	3	4	1	11·	...	
Superior Appellate Courts other than Chief Court of province ...	5	...	...	1	..	.	2	...	2	...	...	...	...	...	31·	...	
Total ...	95	...	2	5	17	1	22	1	23	2	15	3	4	1	12·	...	
B.—Revenue Courts																	
Collector's Appellate Courts	...	..	...	...	...	...	.	..	...	...	...	...	...	...	...	...	
Total ...	..	.	...	...	...	..	...	...	...	...	...	...	...	...	..	...	
Courts at the Presidency or Seat of Government.																	
Chief Court of Province — Appeals from original decrees ...	5	...	...	...	...	..	...	1	2	...	1	...	1	...	39·	...	
Chief Court of Province — Appeals from appellate decrees ...	21	..	9	...	2	...	...	...	2	1	5	...	2	1	41·	...	
Total ...	26	...	9	...	2	..	...	1	4	1	6	...	3	1	39·	...	
GRAND TOTAL ...	121	...	11	5	19	1	22	2	27	3	21	3	7	2	18	...	

JUDICIAL STATEMENT No. 11 (CIVIL).

Statement showing the Result of Proceedings on Applications for the Execution of the Decrees of the Civil and Revenue Courts in Lower Burma, in the year 1885.

Class of Tribunal.	Total number of applications for the execution of decrees before the Courts	Applications disposed of: By transfer.	Satisfaction obtained in full	Satisfaction obtained in part.	Wholly infructuous.	Pending at the end of the year.	Number of applications pending more than three months at the close of the year.	Amount realized: With the issue of process.	Without the issue of process.	Number of applications: On which the judgment-debtor was imprisoned.	On which the judgment-debtor was arrested but released without imprisonment.	On which movable property: Was sold.	Was attached but subsequently released	On which immovable property: Was sold.	Was dealt with under sections 305, 332, or 326, Act XIV of 1882.	Was attached but subsequently released under section 275.	On which possession was given: Of movables.	Of immovables.	On which specific performance was enforced.	On which partition was effected.	On which execution was effected otherwise than the preceding columns.	Remarks.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23
COURTS IN THE INTERIOR.								Rs. P. A.	Rs. A. P.													
I.—Civil Courts.																						
Unpaid Tribunals	42	...	17	7	18	...	...	266 0 0	...	...	27	...	10	1	1	...	...	...	...	...	...	
Village Courts	5,443	77	2,062	1,164	1,775	365	23	1,62,266 10 10	17,567 4 1	250	1,291	575	1,140	502	20	786	37	38	14	...	30	
Paid Subdivisional Tribunals ...	444	3	165	97	180	29	...	30,081 5 3	1,398 12 0	23	114	64	70	65	9	43	2	2	1	...	2	
Small Cause Courts	1,869	19	469	450	946	99	...	24,875 1 9	12,617 6 5	88	518	83	197	32	...	34	...	...	...	...	20	
Chief Courts of Districts	283	2	51	37	104	29	1	1,04,793 9 9	20,640 6 8	7	31	13	23	29	...	20	1	...	...	...	...	
Superior Courts	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Total ...	8,121	94	2,777	1,755	2,973	522	24	3,22,282 11 7	52,553 13 2	377	1,981	738	1,430	630	30	883	40	38	15	...	52	
Courts at the Presidency or Seat of Government.																						
Presidency Small Cause Courts ...	2,732	191	580	378	1,495	88	...	53,448 0 0	31,250 0 0	139	676	13	69	...	...	...	...	...	...	...	...	
Superior Courts	159	10	40	26	74	9	5	85,364 0 0	13,860 2 0	6	10	2	1	25	1	6	...	1	...	...	4	
Total ...	2,891	201	620	404	1,569	97	5	1,38,812 0 0	45,110 2 0	145	566	140	70	25	1	6		1	...	...	4	
GRAND TOTAL ...	11,012	295	3,397	2,159	4,542	619	29	4,61,094 11 7	97,663 15 2	522	2,547	878	1,530	655	31	889	40	38	15	...	56	

JUDICIAL STATEMENT No. 12 (CIVIL).

Statement showing the Number and Result of Applications and Proceedings under Chapter XX, Act XIV of 1882 in Lower Burma, in the year 1885.

Class of Tribunal	Applications for a declaration of insolvency.								Number of insolvents discharged during the year under section 355.	Number of insolvents' estates in the hands of receivers in which proceedings were finally closed during the year.	Amount of creditors' claims dealt with during the year.		Gross amount of insolvents' assets realised and disbursed.		Remarks.
	Total number of hearing.	Transferred to another province, withdrawn, &c.	Granted.		Rejected.			Pending at the close of the year.			Admitted.	Satisfied.	Realised during the year.	Disbursed during the year.	
			A receiver being appointed.	A receiver not being appointed.	Penal proceedings under section 359 not being taken.	Sentence of imprisonment being passed under section 359.	Applicant being sent to the Magistrate to be dealt with.								
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
											Rs. A. P		Rs. A. P.	Rs. A. P.	
Courts other than Chief Courts of Districts.	40	10	1	12	5	...	...	12	1	1	.....	.....	.....	.....	
Chief Courts of Districts	243	42	15	95	57	4	16	14	15	...	170 15 0	.....	3 10 0	.....	
Superior Courts	...	...	...	...	...	...	...	...	...	...	.....	.....	.....	.....	
Total ...	283	52	16	107	62	4	16	26	16	1	170 15 0	.....	3 10 0	.....	

JUDICIAL STATEMENT No. 13 (CIVIL).

Statement showing the use of Jurors and Assessors in the Civil Courts in Lower Burma, in the year 1885.

Classes of Courts in which Jurors or Assessors are employed, distinguishing criminal from civil Courts.		Established or average number of jury or assessors in each case, and prescribed qualifications	Number of cases tried by jury	Number of cases tried with assessors	Cases in which the judge approved of the verdict	JURY TRIALS. Cases in which the judge did not approve of the verdict: Wholly	Partially	Number of persons of the verdict in respect to whom the judge disapproved: Whose cases he referred under section 307, C P Code	Whose cases he did not refer under section 307, C P Code	ASSESSORS TRIALS. Number of cases in which judge agreed with assessors	Number of cases in which judge differed from: One assessor	Both assessors	Remarks.
1		2	3	4	5	6	7	8	9	10	11	12	13
I—Civil Courts													
Chief Courts of Districts (or officer specially empowered) acting under Act X of 1870	Assessors ..	2	..	19	..	...	...	...	...	...	14	5	
II—Criminal Courts													
Magistrates' Courts under Chapter X, C P Code ..	Jurors ...	...	...	...	...	...	...	...	...	...	...	...	
Courts of Session	Jurors .	...	...	...	...	...	...	..	...	...	...	..	
	Assessors ...	...	...	...	...	...	...	...	...	...	...	...	
High Court, Original Criminal Jurisdiction	Jurors ...	...	...	...	.	...	...	...	...	..	...	...	
	Total ...	2	...	19	...	...	...	...	...	...	14	5	

Statement showing the Total Value in Litigation and Costs for all Classes of Civil Cases, including Executions of Decrees and other Miscellaneous Applications, Disposed of in the different Classes of Courts in Lower Burma, exclusive of the Town of Rangoon during the year 1885.

Name of District or Court	ORIGINAL.									Percentage of total costs to total value	APPEAL.		
			COSTS OF CASES.										COSTS OF CASES.
	Total number of cases	Total value of cases	Total amount of Court fees, including process fees	Total amount of process fees	Total amount of diet-money paid to witnesses	Total amount of advocates' fees	Total amount of fees for commissions and other miscellaneous charges	Total			Total number of cases	Total value of cases	Total amount of Court fees, including process fees
1	2	3	4	5	6	7	8	9	10		11	12	13
		Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.				Rs. A. P.	Rs. A. P.
Akyab	1,965	2,62,668 4 2	22,319 11 0	4,570 8 0	1,617 8 0	11,688 12 10	113 4 0	35,733 3 10	13·60		64	12,616 14 5	771 10 0
Kyaukpyu	669	2,49,675 12 10	6,205 11 9	1,495 0 0	1,388 0 0	2,654 8 0	328 10 0	10,771 13 9	4·31		46	5,098 6 11	498 10 0
Sandoway	308	20,106 6 11	1,671 13 0	731 0 0	731 0 0	693 3 0	30 0 0	3,126 0 0	30·93		39	2,735 3 10	436 2 0
Northern Arakan	97	5,629 6 6	....	....	.....	... ..	33 0 0	33 0 0	0·59		..	... ..	... ..
Commissioner of Arakan	.	.	.	.	.....	. ....	.	.	.		4	27,353 11 2	305 4 0
Hanthawaddy	938	1,04,580 8 6	9,530 0 0	1,977 8 0	1,429 2 0	5,889 0 4	5 0 0	16,872 2 4	16·13		61	8,800 10 9	948 7 0
Pegu	1 916	2,74 862 0 3	28,561 6 0	3,613 0 0	1,495 9 0	6,385 6 6	58 8 0	36 500 13 6	13·28		71	23,267 6 8	1 794 0 0
Tharrawaddy	2,149	1,15,376 7 10	16,068 1 0	5,550 0 0	2,518 13 5	5,609 2 0	127 8 0	24,323 8 5	21·08		144	14,144 9 3	1,580 1 0
Prome	2,198	1,38,695 4 3	15,730 7 0	5,094 14 0	3,096 8 0	4,887 1 4	2,061 6 0	25,685 6 4	18 53		39	5,263 14 1	486 11 0
Commissioner of Pegu	...	...	...	...	...	...	...	...	...		9	15,646 4 0	672 0 0
Henzada	2,460	1,47,418 1 5	17,223 6 0	6,670 0 0	3,748 8 0	8,652 9 6	654 13 0	30,279 4 6	20·54		154	15,584 2 1	1,906 15 0
Bassein	3 500	4,45,029 1 5	35,809 3 0	8,024 8 0	4,776 9 0	17,866 9 0	437 8 0	58,889 13 0	13·23		195	31,204 0 0	3,193 12 0
Thongwa	3,908	2,63 051 5 2	28,643 13 0	7,247 0 0	3,545 0 0	11,510 4 6	355 13 0	43,254 14 6	16 71		150	18,430 1 0	1,704 2 0
Thayetmyo	1,437	72,643 9 9	9,940 10 0	3,381 13 0	1,818 9 0	2,243 7 7	319 1 0	14,321 11 7	19·73		79	3,116 1 8	541 14 0
Commissioner of Irrawaddy	1	4,115 0 0	258 0 0	20 0 0	5 0 0	211 8 0	.. .	474 8 0	11 52		3	10,694 0 0	315 4 0
Amherst	1,513	1,39,167 5 6	16,048 3 0	4,856 4 0	2,179 8 0	3,774 8 5	107 0 0	22,109 3 5	15·88		106	18,597 2 1	1,495 2 0
Shwegyin	708	71,669 14 10	5,006 11 0	2,910 8 0	850 8 0	1,405 12 0	50 0 0	7,312 15 0	10·20		120	13,377 12 0	1,282 14 0
Toungoo	1,249	1,29,716 2 1	10 791 7 0	2,640 8 0	1,695 8 0	6 952 3 11	511 8 0	19,960 10 11	15·39		46	9,563 11 2	1,252 10 0
Tavoy	549	26,787 2 10	5,302 15 0	1,407 8 0	1,616 8 0	1,341 5 0	486 7 5	8,749 4 5	30·39		83	11,234 0 11	846 2 0
Mergui	548	31,123 15 2	3,976 6 0	1,415 5 0	967 8 0	2,732 0 0	18 8 0	7,694 6 0	24 72		40	5,481 12 6	588 5 0
Salween	57	6,479 7 6	745 14 0	126 0 0	88 0 0	...	833 14 0	2 82	2 82		2	445 0 0	32 6 0
Moulmein	2,583	5,51,482 13 6	36,268 4 0	6,287 8 0	2,881 0 0	21,853 6 0	1,611 12 0	62,614 6 0	11 35		...	...	...
Commissioner of Tenasserim	..	..	..	..	..	..	..	..	..		1	3,500 0 0	205 0 0
Judicial Commissioner	12	50,500 6 3	2,068 6 0	214 0 0	349 0 0	5,123 3 3	96 2 0	7,636 11 3	15 10		150*	40,322 9 10	3,243 6 0
Total ..	28,076	31,04,757 8 8	2,72,179 3 9	67,461 12 0	36,727 10 5	1,21,668 0 2	7,302 12 5	4,97,877 10 9	14 10		1,615*	2,26,509 6 4	24,071 11 0

* Includes 29 revisions

Statement showing the Total Value in Litigation and Costs for all Classes of Civil Cases, including Executions of Decrees and other Miscellaneous Applications, Disposed of in the different Classes of Courts in Lower Burma, exclusive of the Town of Rangoon, &c.—(continued).

Name of District or Court	APPEAL—concluded. Costs of cases—concluded. Total amount of process fees.	Total amount of diet-money paid to witnesses.	Total amount of advocates' fees	Total amount of fees for commissions and other miscellaneous charges.	Total.	Percentage of total costs to total value.	EXECUTION OF DECREES. Total number of cases.	Total value of cases.	Costs of cases. Total amount of Court fees, including process fees.	Total amount of process fees.	Total amount of diet-money paid to witnesses.	Total amount of advocates' fees.
1	14	15	16	17	18	19	20	21	22	23	24	25
	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.			Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
Akyab	138 0 0	.....	1,108 14 3	154 12 0	3,095 4 3	16·13	716	2,02,168 13 3	2,885 14 0	2,928 0 0	.....	15 0 0
Kyaukpyu	110 0 0	.....	695 0 0	49 8 0	1,334 2 0	24·49	136	2,43,847 9 3	580 0 0	468 0 0	.....	15 0 0
Sandoway	86 0 0	.....	426 6 10	160 6 0	1,012 14 10	37·04	33	2,063 4 9	205 9 0	156 0 0	.....	.....
Northern Arakan	.....	.....	.....	.....	...	...	8	339 7 3	.....	.....	.....	.....
Commissioner of Arakan	6 0 0	.....	201 9 6	.....	806 13 6	2·93	...	.....	.....	.....	.....	.....
Hanthawaddy	177 8 0	8 0 0	1,252 8 2	25 0 7	2,231 13 9	29·35	254	1,80,057 9 5	917 15 0	594 8 0	.....	.....
Pegu	192 0 0	7 4 0	1,408 15 7	53 0 0	3,263 3 7	14·02	608	1,20,995 15 3	2,406 11 0	1,234 0 0	.....	.....
Tharrawaddy	252 0 0	.....	1,128 10 0	.....	2,638 11 0	19·01	348	30,619 7 3	1,169 15 0	690 8 0	10 0 0	40 0 0
Prome	86 0 0	.....	700 0 0	90 14 0	1,277 9 0	34·27	376	36,606 13 3	1,180 8 0	695 8 0	8 4 0	10 0 0
Commissioner of Pegu	9 0 0	.....	1,199 6 9	15 6 0	1,886 12 9	12·07	...	.....	.....	.....	.....	.....
Henzada	349 0 0	.....	2,418 5 10	693 8 4	5,018 13 2	32·20	460	38,231 13 4	1,734 9 0	1,200 8 0	54 0 0	165 0 0
Bassein	535 0 0	.....	4,466 0 0	477 8 0	8,157 4 0	26·14	900	2,24,309 0 7	3,182 13 0	1,728 0 0	40 0 0	25 0 0
Thôngwa	324 0 0	14 8 0	2,625 7 8	562 4 0	4,936 5 8	26·78	710	1,18,819 2 8	3,349 13 0	1,971 8 0	.....	5 0 0
Thayetmyo	114 0 0	8 0 0	444 0 10	188 13 0	1,189 11 10	37·93	350	25,151 8 11	1,346 2 0	713 8 0	4 0 0	.....
Commissioner of Irrawaddy	9 0 0	.....	504 11 7	.....	819 15 7	7·67	...	.....	.....	.....	.....	.....
Amherst	271 0 0	2 0 0	1,463 6 0	109 0 0	3,099 8 0	16·68	602	93,544 13 8	2,082 1 0	1,368 8 0	25 8 0	.....
Shwegyin	270 0 0	.....	516 6 9	.....	1,799 6 9	13·45	258	31,364 9 10	552 4 0	217 0 0	.....	.....
Toungoo	213 0 0	.....	1,602 8 0	.....	2,855 2 0	29·65	307	84,337 12 1	2,055 11 0	1,194 0 0	.....	.....
Tavoy	244 0 0	.....	632 7 3	.....	1,478 9 3	13·16	125	11,069 0 3	413 15 0	245 0 0	35 8 0	.....
Mergui	98 0 0	.....	509 14 6	.....	1,098 3 6	20·08	179	16,378 6 10	501 15 0	259 0 0	.....	.....
Salween	.....	.....	.....	.....	39 6 0	7·42	20	5,031 14 3	55 8 0	15 0 0	.....	.....
Moulmein	.....	.....	.....	.....	...	...	1,169	2,94,073 2 7	5,808 4 0	2,669 8 0	9 8 0	.....
Commissioner of Tenasserim	4 0 0	.....	175 0 0	.....	360 0 0	10·86	...	.....	.....	.....	.....	.....
Judicial Commissioner	428 0 0	.....	5,015 4 9	1,442 2 0	9,700 14 9	34·06	5	5,600 13 0	20 0 0	15 0 0	.....	.....
Total ...	4,170 8 0	39 12 0	28,845 0 3	4,041 1 11	55,997 9 2	19·22	7,604	17,44,608 0 7	29,835 7 0	17,321 0 0	189 12 0	295 0 0

Statement showing the Total Value in Litigation and Costs for all Classes of Civil Cases, including Execution of Decrees and other Miscellaneous Applications, Disposed of in the different Classes of Courts in Lower Burma, exclusive of the Town of Rangoon, &c.—(concluded).

Name of District or Court.	EXECUTION OF DECREES—concluded. Costs of cases—concluded. Total amount of fees for commissions and other miscellaneous charges.	EXECUTION OF DECREES—concluded. Costs of cases—concluded. Total.	MISCELLANEOUS. Percentage of total costs to total value.	MISCELLANEOUS. Total number of cases.	MISCELLANEOUS. Total value of cases.	MISCELLANEOUS. Costs of cases. Total amount of Court fees, including process fees.	MISCELLANEOUS. Costs of cases. Total amount of process fees.	MISCELLANEOUS. Costs of cases. Total amount of diet-money paid to witnesses.	MISCELLANEOUS. Costs of cases. Total amount of advocates' fees.	MISCELLANEOUS. Costs of cases. Total amount of fees for commission and other miscellaneous charges.	MISCELLANEOUS. Costs of cases. Total.	Percentage of total costs to total value.
1	26	27	28	29	30	31	32	33	34	35	36	37
	Rs. A. P.	Rs. A. P.			Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	
Akyab	53 10 0	2,984 8 0	1·48	299	1,03,535 13 6	1,063 2 0	614 0 0	182 8 0	453 0 0	22 0 0	1,727 10 0	1·67
Kyaukpyu	35 12 0	630 12 0	0·26	77	12,388 8 6	205 8 0	115 8 0	52 0 0	.....	10 0 0	387 8 0	2·16
Sandoway	1 14 0	208 7 0	10·05	31	1,654 4 7	76 11 0	42 0 0	31 0 0	63 8 0	.....	170 3 0	10·28
Northern Arakan	.....	.....	...	3	.....	.....	.....	.....	.....	.....	.....	...
Commissioner of Arakan	.....	.....	...	...	.....	.....	.....	.....	.....	.....	.....	...
Hanthawaddy	204 5 9	1,122 4 9	0·70	127	24,421 3 3	479 1 0	228 8 0	163 3 6	403 0 0	63 4 0	1,108 8 6	4·54
Pegu	.....	2,409 11 0	1·99	236	65,198 7 4	1,086 10 0	421 0 0	304 12 0	805 0 0	.....	2,146 6 0	3·30
Tharrawaddy	24 15 0	1,344 14 0	4·07	307	40,691 5 11	918 13 0	603 0 0	199 14 0	474 8 0	.....	1,593 3 0	3·91
Prome	145 15 0	1,944 11 0	5·31	283	39,384 12 1	1,010 12 0	552 0 0	161 7 0	318 0 0	158 7 6	1,646 10 6	4·19
Commissioner of Pegu	.....	.....	...	...	.....	.....	.....	.....	.....	.....	.....	...
Henzada	160 6 0	2,134 1 0	5·58	323	24,340 10 6	736 0 0	406 0 6	186 12 0	417 8 0	51 6 0	1,301 10 0	5·72
Bassein	261 14 0	3,510 11 0	1·56	448	1,15,644 8 9	1,768 13 0	1,112 8 0	397 0 0	1,085 0 0	5 0 0	3,355 13 0	2·83
Thôngwa	346 3 0	3,701 0 0	3·11	533	76,310 5 5	1,600 0 0	1,033 0 0	577 4 0	1,541 0 0	162 13 0	3,887 1 0	5·09
Thayetmyo	144 8 0	1,494 10 0	5·94	161	10,216 12 6	448 13 0	277 8 0	112 8 0	216 9 6	44 12 0	822 10 6	8·05
Commissioner of Irrawaddy	.....	.....	...	...	.....	.....	.....	.....	.....	.....	.....	...
Amherst	142 11 1	2,230 4 1	2·38	197	32,721 2 0	837 8 0	425 0 0	319 0 0	253 9 1	44 1 0	1,454 2 1	4·44
Shwegyin	.....	552 4 0	1·77	141	2,069 14 3	237 8 0	89 0 0	170 0 0	140 0 0	.....	547 8 0	26·17
Toungoo	310 8 0	2,367 3 0	2·61	275	43,733 2 7	933 3 0	604 8 0	241 12 0	736 0 0	41 0 0	1,951 15 0	4·46
Tavoy	124 11 9	571 2 9	5·15	14	1,670 4 6	49 8 0	43 0 0	14 8 0	.....	.....	64 0 0	3·83
Mergui	.....	501 15 0	2·66	87	2,074 13 8	61 8 0	33 8 0	116 8 0	86 0 0	.....	264 0 0	12·73
Salween	.....	55 8 0	1·10	13	9,400 7 0	56 5 0	4 0 0	28 8 0	.....	.....	84 13 0	0·90
Moulmein	1,421 0 0	6,628 12 0	2·26	280	6,56,712 2 0	10,648 9 0	532 10 0	84 8 0	1,450 0 0	421 0 0	12,604 1 0	1·91
Commissioner of Tenasserim	.....	.....	...	...	.....	.....	.....	.....	.....	.....	.....	...
Judicial Commissioner	.....	80 0 0	0·36	53	1,985 3 6	102 9 0	.....	.....	58 4 2	19 8 0	179 12 2	9·02
Total ...	4,008 7 7	34,322 10 7	1·97	3,947	12,66,103 13 10	22,290 4 0	7,146 10 0	3,343 0 6	8,490 14 9	1,056 3 6	35,169 6 9	9·78